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REPORT

FROM ~~THE~~

SELECT COMMITTEE ~~OF THE HOUSE OF LORDS~~

ON

UNIVERSITY TESTS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

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AND APPENDIX.

Session 1870.

BX -f- 31

Ordered, by The House of Commons, *to be Printed,*
24 *April* 1871.

REPORT - - -

REPORT.

BY THE SELECT COMMITTEE appointed for the purpose of inquiring into the best mode of giving effect to the following Resolution of the House: "That in any measure for enabling persons not members of the Church of England to hold offices to which they are not now eligible in the Universities of Oxford, Cambridge, and Durham, and the Colleges and Halls in those Universities, it is essential to provide by law proper safeguards for the maintenance of religious instruction and worship and for the religious character of the education to be given therein," and to Report to the House:—

ORDERED TO REPORT,

THAT the Committee have inquired into the matters referred to them, and have examined four witnesses. In consequence of the advanced period of the Session, they have resolved to report the Evidence taken before them, together with an Appendix thereto, to the House; but they recommend that the Committee be re-appointed at the commencement of the next Session.

ORDER OF REFERENCE.

Die Jovis, 14° *Julii*, 1870.

University Tests Bill.

Order of the Day for the Second Reading, read: Moved, That the Bill be now read 2°; objected to; an Amendment moved to leave out from ("that") to the end of the Motion, and insert the following Resolution, viz.:—"In any measure for enabling persons not members of the Church of England to hold offices to which they are not now eligible in the Universities of Oxford, Cambridge, and Durham, and the Colleges and Halls in those Universities, it is essential to provide by law proper safeguards for the maintenance of religious instruction and worship, and for the religious character of the education to be given therein:" (The Marquess of Salisbury). After Debate, on Question, whether the words proposed to be left out shall stand part of the Motion: *Resolved* in the negative (*see* Division List annexed): Then the said Resolution agreed to: Then it was moved, That a Select Committee be appointed for the purpose of inquiring into the best mode of giving effect to the foregoing Resolution; objected to; and, after short debate, on Question, *Resolved* in the Affirmative (*see* Division List annexed); Committee appointed accordingly; and to be named on Monday next.

Die Veneris, 15° *Julii*, 1870.

The naming of the Select Committee (*which stands* appointed for Monday next) put off to Tuesday next.

Die Lunæ, 18° *Julii*, 1870.

The naming of the Select Committee (which stands appointed for To-morrow) put off to Thursday next.

Die Jovis, 21° *Julii*, 1870.

University Tests.

Select Committee on: The Lords following were named of the Committee; the Committee to meet To-morrow, at half-past Four o'clock, and to appoint their own Chairman:

Lord Archbishop of York.
Lord President.
Duke of Somerset.
Duke of Marlborough.
Marquess of Salisbury.
Earl Cowper.
Earl Stanhope.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Earl Beauchamp.
Lord Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.

Die Veneris, 22° *Julii*, 1870.

The Evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House; but no copies thereof to be delivered, except to Members of the Committee, until further order.

The Lord Redesdale added to the Select Committee.

LORDS PRESENT, AND MINUTES OF PROCEEDINGS AT EACH SITTING OF THE COMMITTEE.

Die Veneris, 22° *Julii*, 1870.

LORDS PRESENT:

Lord Archbishop of York.
Lord President.
Duke of Marlborough.
Marquess of Salisbury.
Earl Cowper.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Earl Beauchamp.
Lord Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.

Order of Reference read.

It is proposed that the Marquess of Salisbury do take the Chair.

The same is agreed to, and the Marquess of Salisbury takes the Chair accordingly.

The course of Proceeding is considered.

Ordered, That the Committee be adjourned till Monday next, One o'clock.

Die Lunæ, 25° *Julii*, 1870.

LORDS PRESENT:

Lord Archbishop of York.
Duke of Somerset.
Marquess of Salisbury.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Earl Beauchamp.
Lord Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Rosebery.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.

The Marquess of SALISBURY in the Chair.

Order of Adjournment read.

Order of the House of Friday last, That the evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House; but no copies thereof to be delivered, except to Members of the Committee, until further order, read.

Order of the House of Friday last, adding the Lord Rosebery to the Committee, read.

The Proceedings of the Committee on Friday last are read.

The following Witnesses are called in, and examined (*vide* the Evidence); viz., the Rev. *Drummond Percy Chase* and the Rev. *Edward Henry Perowne.*

Ordered, That the Committee be adjourned till Thursday next, One o'clock.

Die Jovis, 28° *Julii*, 1870.

LORDS PRESENT:

Lord President.
Duke of Somerset.
Duke of Marlborough.
Marquess of Salisbury.
Earl of Morley.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl Beauchamp.
Lord Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Rosebery.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.

The Marquess of SALISBURY in the Chair.

Order of Adjournment read.

The Proceedings of the Committee on Monday last are read.

The following Witness is called, and examined (*vide* the Evidence); viz., the Rev. *Edward Henry Perowne.*

Ordered, That the Committee be adjourned till Monday next, One o'clock.

Die Lunæ, 1° *Augusti*, 1870.

LORDS PRESENT:

Lord President.
Duke of Somerset.
Marquess of Salisbury.
Earl Cowper.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Earl Beauchamp.
Lord Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.

The Marquess of SALISBURY in the Chair.

Order of Adjournment read.

The Proceedings of the Committee on Thursday last are read.

The following Witness is called in, and examined (*vide* the Evidence): viz., Professor *Joseph Barber Lightfoot*, D.D.

Ordered, That the Committee be adjourned till Thursday next, One o'clock.

Die Jovis, 4° *Augusti*, 1870.

LORDS PRESENT:

Lord President.
Duke of Somerset.
Marquess of Salisbury.
Earl Cathcart.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Lord Colchester.
Lord Stanley of Alderley.
Lord Lyveden.

The Marquess of SALISBURY in the Chair.

Order of Adjournment read.

The Proceedings of the Committee on Monday last are read.

The

The following Witness is called in and examined (*vide* the Evidence): viz., Professor *George Rolleston.*

The following Draft Report is laid before the Committee by the Chairman.

" The Committee have inquired into the matters referred to them, and have examined four witnesses. In consequence of the advanced period of the Session, they have resolved to report the Evidence taken before them, together with an Appendix thereto, to the House; but they recommend that the Committee be re-appointed at the commencement of the next Session."

The same is read, and after discussion it is proposed by the Duke of Somerset to leave out from " House " to the end of the Paragraph.

On Question, That the words proposed to be left out stand part of the Draft Report:

Content.	Not Contents.
Marquess of Salisbury.	Lord President.
Earl Stanhope.	Duke of Somerset.
Earl of Carnarvon.	Earl of Morley.
Earl of Powis.	Lord Lyveden.
Earl of Harrowby.	
Lord Colchester.	
Lord Stanley of Alderley.	

The Draft Report is again read, and *agreed to.*

Ordered, That the Lord in the Chair do make the said Report to the House.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Die Lunæ, 25° *Julii*, 1870.

	PAGE.
Rev. D. P. Chase	3
Rev. E. H. Perowne	35

Die Jovis, 28° *Julii*, 1870.

Rev. E. H. Perowne	41

Die Lunæ, 1° *Augusti*, 1870.

Professor Joseph B. Lightfoot	71

Die Jovis, 4° *Augusti*, 1870.

Professor George Rolleston, M.D.	101

Die Lunæ, 25° Julii, 1870.

LORDS PRESENT:

Archbishop of YORK.	Earl BEAUCHAMP.
Duke of SOMERSET.	Bishop of GLOUCESTER AND BRISTOL.
Marquess of SALISBURY.	Lord COLCHESTER.
Earl of CARNARVON.	Lord ROSEBERY.
Earl of POWIS.	Lord STANLEY OF ALDERLEY.
Earl of HARROWBY.	Lord LYVEDEN.
Earl of MORLEY.	Lord HOUGHTON.

THE MARQUESS OF SALISBURY, IN THE CHAIR.

The REVEREND D. P. CHASE, is called in; and Examined as follows:

Rev. *D. P. Chase.*
25th July 1870.

1. *Chairman*] You are the Principal of Saint Mary Hall at Oxford?
I am.

2. And also a fellow of Oriel College?
I am.

3. Have you been a tutor at Oriel?
Yes; I was a tutor for a year a long time ago, and for four or five years quite recently. I left the tutorship at Oriel to be Vice Principal at St. Mary Hall, and, in consequence of there being a scarcity of tutors at Oriel, I went back for four or five years until they could get someone else.

4. You are of course acquainted with the University Tests Bill which is now before Parliament?
Yes, I am.

5. And you have of course formed an opinion with respect to the probable working of that Bill upon the religious education of the University?
Yes, I have; I have always thought that it was necessary to keep distinct the working of the Bill upon the University and its working upon the colleges.

6. What is your opinion of its probable working upon the University?
I think it will have very little effect at all upon the University.

7. Its working upon the University formally consists in this, that it admits persons who are not necessarily members of the Church of England to vote in Convocation?
Yes; and it admits them to professorships also.

8. Your opinion is, that the power of voting in Convocation is not one which, even if the Dissenters were numerous, and were inclined to use it hostilely to the Church, could be used in that way to a very great extent; is that so?
I think not; I think it would be quite inappreciable.

9. There are religious elements in the examinations at the University, are there not?
There are; but those prescribed conditions could hardly be altered without a very

Rev. *D. P. Chase.* 25th July 1870.

very considerable majority in the congregation of the University, which is the first step.

10. The congregation of the University consists, does it not, of those who are resident in the University?

Yes, those who are resident in the University.

11. Including the clergy in the immediate neighbourhood?

Not the clergy in the immediate neighbourhood generally. I think the residence, if I remember right, must be within one and a-half miles of Carfax. But of course any measure which passes congregation is subject to review by Convocation, and therefore anything decidedly hostile to the Church of England would at once be stopped, at least for many years to come.

12. Your idea is that the possibility of a majority in Convocation hostile to the Church is a very distant event?

Very distant indeed.

13. Supposing such a thing were to happen, are there any points in the examination which are essential, in your judgment, to the religious education of the place?

The examination in Divinity would of course be abolished in that case, but it would still be in the power of colleges or separate bodies not to present for degrees those who had not satisfied them in their own examination in theology. I should be sorry to see the examination in Divinity abolished in the University, but I do not think it would matter very much.

14. The Divinity examination consists in an examination in the history of the Bible, and in the Thirty-nine Articles, does it not?

Yes.

15. But that is even now dispensed with in individual cases, is it not?

Anybody may claim to have it dispensed with who states that he is *extra Ecclesiam Anglicanam*, but then he must take up something else in substitution for it. It is not very frequently done, I think.

16. Have there been many instances of it?

I served for three successive times as a pass examiner, and I did not know of a single instance of it. I might mention also that I have had a Presbyterian clergyman who was an undergraduate with me. I told him that he need not be examined in Divinity or get up the Thirty-nine Articles, but he decidedly preferred to do it.

17. He did it from an external point of view of course?

Of course there would be one or two points that he would not agree with, but he had no objection to attend lectures or to submit to the examination; in fact he preferred doing so.

18. Who appoints the examiners?

The Vice Chancellor and the Proctors in a certain rotation; at least they nominate them; there is a power to refuse them, but it is a power that is never exercised.

19. Is there not besides the professedly religious examination, a very minute and extensive examination in moral philosophy?

There is for honours.

20. Is it not the case, that into that examination a large number of ethical and dogmatic questions could be, and frequently are, introduced?

I can hardly speak to that as a fact, for I have never examined for honours myself, and I have never had many pupils who were examined for honours. I have not attended to it much, but I have never heard any complaint on the subject.

21. The books that are taken up are not books entirely foreign to religion, are they?

No.

22. There are some books that are very closely connected with religion, are there not?

Some are very closely connected with religion.

23. Can

23. Can you give me many instances?
I am not sure that I can.

24. Is it not the case that Bishop Butler's works are taken up?
Yes, of course. I was thinking at the moment of those that were not professedly religious books.

25. Bishop Butler is taken up not so much for the Divinity as for the moral philosophy examination?
It used to be, but I believe it is very much discontinued now, and has been for some years.

26. And the works of Mr. Mill have been substituted for it?
Yes.

27. *Archbishop of York.*] You are speaking of the logic?
Yes.

28. *Chairman.*] Is it not the case that Lecky's Rationalism has been imposed?
I do not know; that has not come within my experience.

29. To turn from the examination with which the University has this connection; you have stated that the University has a further direct connection with the education, in the appointment of professorships, and that any admission of Dissenters would affect that. What particular professorships do you think that this Bill would affect in the sense of modifying the religious character of the teaching from those chairs?
I suppose that the Professorship of Moral Philosophy is almost the only one upon which it would have any possible direct effect; but we have had an instance lately of lectures upon a very different subject which were made the vehicle of statements upon everything under the sun.

30. Is it fair to ask you what those lectures were?
I alluded to the lectures of Mr. Ruskin.

31. Mr. Ruskin's lectures did include references to dogmatic questions in large numbers, did they not?
Yes.

32. That has also been sometimes the case with regard to lectures upon modern history, has it not?
I dare say it has; I have not myself attended many of those lectures.

33. What was the nature of the professorship which Mr. Ruskin held?
The Slade Professorship of Fine Arts.

34. Now, I will pass from the University to the colleges. In what way would this Bill affect the religious character and discipline of the colleges?
I do not know whether I may say so much as this, that I do not apprehend any very evil effect, if any at all, from the admission of Christian Dissenters. The people of whom I am afraid are those who are professedly opposed to anything like dogmatic teaching at all, and I can hardly conceive how a college could possibly work with its tutorial and governing body diametrically opposed to one another upon those points.

35. It is not persons holding dogmas different from the Church of England that you dread, but persons holding no dogmas at all?
Yes, and who wish that nobody else should be allowed to hold them.

36. You think that there are the elements for the intrusion of such a body into the collegiate and tutorial corporations?
Yes, and as far as I understand the Bill there is to be no guarantee at all against it.

37. Do you think that it would be likely that, amongst those who would seek to be elected fellows, such persons as those would appear?
Certainly.

38. Your knowledge of the state of opinion in this country and in Oxford would lead you to that belief?
Certainly.

 39. Could

Rev. D. P. Chase. 15th July 1870.

39. Could you without any danger of invidious reference indicate at all the nature of the intellectual position and tenets of this class of men whom you dread?

I am afraid I can hardly say anything sufficiently definite upon the matter. I have my own impression of the men whom I meet, and of the way in which they obtrude their contempt for religious opinions in general, but I can say nothing more definite than that I allude to people who are already upon foundations.

40. They have come in in spite of the existing tests?
Yes.

41. Do you think that that is probably due either to some subsequent change of opinion on their part, or to a peculiar elasticity of mind?
It is due to the loss of common honesty and morality, I think.

42. But I suppose that in some cases the change of opinion is subsequent to their admission to the foundation?
It might be so.

43. And I suppose you think that if a few men come in now by the loss of common honesty and morality, it is probable that when that penalty on admission is removed, a larger number would come in?
I should think a larger number would come in; at all events, we should have no guarantee as to who or what came in.

44. I suppose at present, even if the loss of these qualities which you deplore brings some men of these opinions in, still they are to some extent or in some cases restrained by the knowledge that they have come in upon the hypothesis of belief?
I think so.

45. They do not obtrude their opinions, or attempt to propagate them, with the same vigour as they would do if all such restrictions were removed?
I am not sure of that. I think, perhaps, some of these men are irritated by the consciousness of their false position, and if that position were legitimatised, it might perhaps have rather a tranquillising than an irritating effect upon them.

46. Do you know if there is at present any power in the University of prosecuting for heresy?
I believe there is, but I can hardly say without referring to the Statute Book.

47. In practice it is absolutely obsolete, I suppose?
Quite obsolete.

48. What was the proceeding under which Mr. Ward was dealt with some 25 years ago?
That, I think, was simply a vote of Convocation.

49. Turning him out?
It was proposed to turn him out.

50. The Proctors vetoed it, did they not?
I am not sure; they vetoed the subsequent movement against Dr. Newman, but I forget how it was in the case you refer to.

51. Supposing that the proposal had been successful, would it have had the effect of depriving Mr. Ward of his fellowship?
I fancy so, because it was a movement for degrading him.

52. Will you tell me how the tutors are appointed in the two colleges with which you are familiar?
They are appointed only by the head of the college, but we have recently had at Oriel a reduction of the number of tutors, placing the appointment of lecturers in the power of the college, but still with a veto on the part of the head of the college.

53. Does that power in the head of the college depend on custom, or courtesy, or upon any Statute of the college?

Certainly

Certainly not, as far as I am aware, upon any Statute; I think it rests upon immemorial custom, but I am not sure.

54. *Archbishop of York.*] Do you not think that it was a new Statute that was made part of the college system; it certainly was one of our Statutes?
I do not think it was touched in our Ordinance.

55. *Chairman.*] I suppose the vote of your common room could at any time withdraw that power from the head of the college?
I think the head of our college would contest the matter before the visitor. He would say that the Ordinance had not altered his old position, and that it would be an infraction of his rights and position as head.

56. Is there any restriction as to appointing the tutors from among the fellows?
No, there is no restriction beyond that of custom.

57. It is open to a head to go outside the college for his tutors if he thinks fit?
Quite.

58. There is no qualification or restriction of any kind upon the tutor so appointed by the head, is there?
There is the general description in the University Statute of "*quales tutores*," and so on. I think he is required to be approved by the head of the college, and that is all.

59. That is required by a University Statute?
Yes.

60. The University Statutes, then, in that respect, are binding upon the individual colleges?
Yes, they would be in that case.

61. The University assumes the jurisdiction to determine how, and under what conditions, a tutor shall be appointed?
Not how he shall be appointed, but under what conditions. I forget the exact words of the qualifications which are given in the University Statutes, but I think it is added that he must be approved of by the head of his college; I could hardly say without referring to the Statute.

62. What penalty has the University in case a college should not think fit to obey its injunctions with respect to the appointment of tutors?
I suppose that the Vice Chancellor could refuse a student the ordinary facilities in the University.

63. It would be by debarring him from the examinations, in short?
I should think so.

64. The tutor so appointed, I presume, has considerable facilities for acting upon the opinions of the undergraduates with whom he comes in contact?
Yes, certainly.

65. And it is a matter of fact, is it not, that the influence exercised by the tutors within the college on the undergraduates is very great if they are men of ability and character?
Yes, very often.

66. And the species of studies they pursue would give an opportunity for discussing dogmatic and ethical questions?
Yes, very great opportunities.

67. Are there any actually religious lessons taught by the tutors in their lectures?
We are bound by University Statute to teach the Thirty-nine Articles at least, and I think some rudimentary theology besides.

68. And besides that, of course there is the Moral Philosophy?
There is also the Moral Philosophy, and at present it is allowable to bring up special portions of the New Testament, certain Epistles, or anything of that kind. Of course that would give every facility to a man for inculcating his own views.

Rev. *D. P. Chase.*
25th July 1870.

69. If there was a tutor whose sympathies inclined strongly to any sect hostile to Christianity, he would have no difficulty in using his lecture for the purpose of propagating those views?
Not at first, I suppose; but when it became known there would be an attempt to stop him.

70. On the part of the University?
On the part of the University, and probably on the part of the head of the college.

71. Has the head of the college a jurisdiction over the lectures of the tutor?
He has by custom, certainly.

72. Can the head of a college dismiss a tutor?
I believe not.

73. It has never been done?
I believe that power rests only with the Vice Chancellor; he can do what is equivalent to dismissal, he can refuse to assign him pupils. I think a tutorship is a University office exercised in a college.

74. Supposing a body of fellows were elected under this new Act, some of them strong believers in Christianity and some of them very much the reverse; such a body would hardly live together in harmony, would they?
I should expect not, unless it were by a surrender of everything that they were likely to differ about.

75. It would be inevitable that the college would be divided into two camps or more?
I should think so.

76. And if that was the case, is it not probable that many of those extreme powers to which you have referred would be called into operation, or that attempts would be made to call them into operation?
Attempts would be made to call them into operation, but I should expect them to break down the first time they were exercised.

77. Any dissensions amongst the teaching body of the college would probably be reflected among the taught body, would they not?
Yes, I should think so certainly, but it is difficult to say.

78. That state of things would not be favourable to the studies of the undergraduates?
It would be very unfavourable, I think.

79. In the election of fellows at Oriel, do you confine yourselves under the new Ordinance entirely to the results of examination, or do you take the religious belief of the person elected, in any way into consideration?
We have never taken the religious belief into consideration at all, I think. We have no papers or questions bearing upon it at all.

80. You simply elect the best man at the examination?
No, not quite that, because even under the Ordinance we are to elect those whom we think best for the place, as a "place of religion, learning, and education," and of course the examination by itself will not tell us more than one of those things.

81. And you hold it within your own breasts to determine the other two?
Quite so.

82. You think that that power has practically been exercised?
Certainly.

83. There have been cases where the first man in the examination has not been elected?
Yes; I should say so certainly. It constantly happens when you have a vacancy, that you want a man for a particular purpose, and you regard that purpose in testing the fitness of the candidates.

84. I believe Oriel College has always, or at least always within the last 50 years

50 years, stood very high for the preference it has given even before the Ordinance to intellectual qualifications?
Yes.

85. Have you ever known since the Ordinance the case of a man who stood first on the examination being passed over?
I have never known it; but the fact is that we compare opinions so little, that we could hardly say who was the first on the examination.

86. I mean on the examination for a fellowship?
Yes; we compare opinions amongst ourselves so little till the time of election comes, that it would be difficult to assign places to the candidates.

87. Have you no examiners then?
We never have examiners *ab extra*, except for subjects we are not competent to deal with; the whole college examines.

88. You simply take the papers, and pass them round the committee room?
Yes; each person forms his own opinion, or perhaps two or three may look over the papers together and form their own opinion, but no definite judgment is given as to who is the best in the examination.

89. Earl of *Harrowby*.] There is no counting of marks?
No.

90. *Chairman*.] There is no record of who is the best man?
There is no record at all, except what one picks up from individual conversation.

91. Having gathered, as I imagine I have, that your opinion is that this Bill would give facilities for the propagation of opinions hostile to Christianity, and would further to some extent diminish the concord existing in colleges, and so prove an impediment to the studies of the place, will you tell me if any plan has at any time occurred to you for effecting the essential object of this Bill, which is, the admission of Dissenters to certain offices, emoluments, and honours which they do not now possess, without incurring all the evils you apprehend, or at least without incurring the greater part of them?
I had a very definite idea myself, which was the sacrifice of such part of the endowments as might be thought necessary, and the creation of a fund which should be administered by an independent body in the University, instituting fellowships, for which nothing but an examination should be necessary, except of course a testimonial of respectability, or, rather, the absence of the contrary; but, beyond that, disposing of these fellowships without reference to any religious opinion whatever.

92. Where, in your plan, would the fellows so chosen live?
In my plan, it would depend upon what colleges they already belonged to; if they were Bachelors of Arts of Oriel College, and obtained a University fellowship, they would remain as bachelors or masters in that college.

93. With a right to rooms in the college?
That might or might not be; but, at all events, they would have nothing to do with the government or the instruction in the college.

94. The essential part of your plan is, that the college fellowships which remained would continue as they are now, and that those persons who would be ear-marked as having University fellowships could have no right of becoming tutors, or attending the college meetings?
I should hope a good many of them would be as good men as the others, only they would be men who did not choose to sign any test, or to express any opinion. They would have no voice in the college government.

95. That is an essential part of your plan?
Yes.

96. That is the point to which you direct your opinion as the point which this Bill would effect, namely, the right of taking part in college government?
Yes;

Rev. *D. P. Chase.*
25th July 1870.

Yes; the residents may at any special meeting be out-voted by the non-residents, to whom the consequences are not so obvious as they are to ourselves, and whom also the consequences will not affect directly.

97. Is there any large number of non-residents?
More than half or about half our body is non-resident.

98. Do the non-residents ever come up to vote on questions of government?
Yes; we have by Ordinance two stated meetings in the year, at which the non-residents usually attend; in fact, at which they are bound to attend.

99. What kind of people are the non-residents; are they laymen or clergymen?
We have two clerical fellows non-resident. One is a master in Wellington College; the other was head master of Haileybury School, and resigned from ill-health, which still disables him from work.

100. I suppose they are chiefly lawyers?
Chiefly lawyers, I think.

101. Is it your opinion that the system of giving a large part of the college revenues to persons whose only qualification for it is that they have succeeded at a certain examination at the age of 22, and who afterwards do no work for it, is one which it is desirable to preserve, or to preserve to the extent to which it now exists in the University?
Not to the extent to which it now exists; I think it is very well to hold out certain prizes. Of course for every man who gets a prize, there are a number who fall short of it who have also shared the stimulus of the prize; but I think it is a mistake to allow them to be held for life.

102. Do you think that the having fulfilled the requirements of an examination, is a sufficient ground for taking part for the future in college government, on the part of a person who has no further experience of academical affairs?
Certainly not; I think it is extremely objectionable.

103. And even if these prizes continued to be given, and to be given, which you think objectionable, for life, you would still think it an important reform that persons who do not reside in the University should not take part in the ordinary business of the college?
I should not so much mind that, if the non-residents were still of the same mind generally as the residents, or if they were bound to be so, or bound to profess to be so: I think we sometimes get good by having the outside opinion brought in upon us, more than we should if there were no non-residents.

104. But you think that that will not continue to be so if the Bill passes?
Certainly not; if we are not to know whether the man we elect is a Christian or a Mahommedan.

105. And you think that it may well happen that the resident members of a college may be led to one set of views by the exigencies they see before them, and that persons whose sympathies are wholly anti-Christian may be brought in from without to overbear them?
That is quite possible, and quite probable, I should think.

106. I suppose that even now, under the existing system, there is a certain divergence of view between the resident and the non-resident fellows, is there not?
There is a certain divergence, but not so much as might be expected, I think.

107. Perhaps your college has never been the scene of any active controversies upon college management?
No.

108. You are not therefore acquainted with such things as whips of non-residents to determine college questions?
We cannot have that, because we should bring forward no important question, except at one of the two stated meetings at which the non-residents are bound to be present.

109. Therefore

109. Therefore the non-residents must be there?
The non-residents are bound to be there, or they are bound to be excused if they are not there. It is not a matter of option with them whether they will come or not.

110. Earl of *Harrowby.*] Do they always come?
No, not always.

111. Then they are whipped up sometimes?
They come or not according as they take an interest in the business; but there is no possibility of packing a meeting, because beforehand we expect them all.

112. *Chairman.*] But that is the weak point you have fixed upon in the new system, which is proposed to be introduced by this Bill, that the college will, to some extent, be governed by persons who take no part in the work of the University, and for whose sympathy with those who do the work of the University you will have no guarantee whatever?
Yes; that is the principal thing.

113. Supposing a portion of these endowments, which are devoted to those who have once gained a prize at an examination, were devoted to academical purposes, I suppose there would be no difficulty in finding useful modes of applying them?
Not at all; one of the questions we shall have to consider very shortly will be the means of contributing from the college funds to the University expenses, which are getting beyond the University income.

114. That is a process which must continue, must it not, in proportion as the practice of the University of cultivating new branches of knowledge continues?
Yes, it arises from that cause. The instruction in physical science makes very considerable demands in the way of expense, and in fact it is contemplated that we shall take the matter into consideration amongst ourselves.

115. On the one side the University is in want of money to cultivate these new branches of knowledge, and on the other side there are large sums of money given to people who take no part in the work of the University?
Yes.

116. Even if this question of tests were not before us, would that state of things, in your opinion, require some reform?
Yes, I think so, quite independently of the question of tests.

117. It has been aggravated, has it not, by the operations of the commission?
Yes, in this way: It was left to each body to determine the rules of residence, and as the majority wanted to be set free from residence, a rule was made accordingly.

118. Earl of *Harrowby.*] With regard to the duration of a non-resident fellowship, I believe at Wadham it was at first for 10 years, and it was then made perpetual by the commission?
No, I think they had them for 18 years there, and then they were liable to be superseded; it may have been altered, but I hardly know any Ordinances except our own.

119. *Chairman.*] Is the number of clerical fellowships diminished in your college?
Yes, we all used to be obliged to be in orders except three; I think now we only retain, necessarily at least, five out of our whole former number.

120. *Archbishop of York.*] You know very well the present state of opinion in the University; I should think hardly anybody knows it better. Is it your opinion that the tests up to this time have been effectual in preventing that divergence of religious opinion, and religious teaching, which you think may hereafter arise?
Allow me to say that it is a question of the extent of the divergence. Of course there always has been some divergence, and sometimes there has been more divergence amongst believers than now.

Rev. *D. P. Chase.*
25th July 1870.

121. Has there been such divergence that at one college the teaching is reputed to be of this complexion, and at another college of that complexion?
Certainly.

122. And that is under the present system under which every fellow has taken the usual University tests?
Yes; but I am speaking only of a divergence of opinion within the limits of Christianity. I have really no definite information upon the other divergence.

123. It would not in your opinion arise from the fact that some people had changed their religious views after becoming fellows; you would not assign that as the main cause of it, would you?
I should doubt their having changed their views after becoming fellows; I think in most cases they accepted the position in spite of their views.

124. I think there is a power in the University of administering a test afresh, is there not; a person can be called upon to sign the test after becoming a fellow?
Yes.

125. Therefore the test is a continuing thing, and a man could not shelter himself under a change of opinion. He could not say, "I did sign the test when I became a fellow, and though now I have changed my opinion I am free because I signed it *bonâ fide* at that time?"
He would be bound to sign it again if called upon to do so.

126. Do I rightly understand that your impression is that there is a good deal of divergence of religious opinion, and that it goes to great extremes under the present system of tests?
Yes, within the number of those who are affected by the present system of tests. But it is possibly only an impression; I could not point to any definite instance in support of it.

127. With regard to the scheme that you propounded very ably last year, it would exclude all the University fellows, that is to say, your proposed new class of fellows, from tutorships, would it not?
I think your Grace may recollect that I proposed that the University fellows should be eligible to college fellowships; that is to say, that any one of them who took a University fellowship and wished to go into the service of a college, having no objection to whatever tests might be existing, would have an opportunity of doing so.

128. Without any fresh emolument?
Yes, merely exchanging the one position for the other.

129. Would it not lead to discontent if there was one set of fellowships which had the direct privilege of tutorships attached to them, and the further privilege of governing the college, and another set which had not either of those privileges; would it not be regarded as a very unequal settlement of the question, if these two sets of fellowships, with such unequal privileges, were left in the same University; would it last?
I cannot say about that. Of course those who are for destroying all dogmatic religion whatever will never be contented with anything short of that. But I think that there would be no fairness in the objection. We should give them the same emolument, but we should decline to allow them to interfere with our particular system of education.

130. We will suppose that there are two men of equal ability and character, and that one chooses to get a fellowship without tests, and that the other chooses to get a fellowship with tests; he who takes the tests gets his income doubled the next year by becoming a tutor, if the state of the college is such that tutors are required, and also the moment he is elected, or rather after a year from his election as fellow, he takes part in the government of the college; do you think, as a matter of general probability, that the other fellows would rest content under those circumstances?
I do not suppose they would rest content.

131. You spoke, and probably with great justice, with regard to the irritation that may exist now in consequence of a sense of a false position on the part of those who have signed the tests which they now cannot quite sustain; would there

there not be the same kind of irritation in those who felt that they were placed at an inequality by this system which is proposed to cure the present state of things?

There is another point which must be considered, if your Grace will allow me to say so, namely, that if the membership of Convocation is open without tests, we may look forward to a multiplication of educating bodies in the University, many of whom would not desire to have tests, so that, although men of that class would not get positions in the old colleges, they would soon do so in the new ones.

132. There is now a body of students at Oxford not affiliated to any college, is there not?

Yes.

133. How do they stand with regard to tutors?

A great number of colleges have admitted them to their lectures on payment of rather smaller fees.

134. Have they a regular University tutor?

They have now two, called censors; it is quite a recent appointment.

135. Lord *Houghton.*] May I ask whether, in your opinion, the real danger that might result from such a Bill as this, would rather be the danger of suppressing dogmatic teaching altogether than that of introducing more differences in that teaching?

It would be much more the danger of suppressing any dogmatic teaching whatever.

136. Would not the tendency of your scheme for this separation of fellowships be rather to give these University fellowships an anti-theological character?

I think not. I think it would not follow that a man who took a University fellowship did not adopt any dogma. It is only that nobody asks him whether he does or does not.

137. Would not it rather shock the religious susceptibilities of orthodox Dissenters to be confounded in this distinct manner with persons who owe their position to the supposed circumstance of their dislike to dogmatic teaching?

I would only say, in answer to that question, that I should not propose to confine the University fellowships to any class whatever, and therefore as the fellowships in colleges would be, we will say, diminished by one-half, there would naturally be a great number of the same class of men who now take college fellowships seeking to get University fellowships with a view to holding them until they could exchange them for others. I should hope that would smooth over the differences very much indeed.

138. Would you not fear that a tone of mind might grow up in the University by which these University fellowships might be considered almost as the property of the less religious portion of the community?

I should not be afraid of it myself; they would be so numerous that they would be held by men of all classes.

139. Do you see no difficulty or danger in drawing a hard line between two bodies of men, one of whom should be associated in the mind of the University with religious teaching, and the other with the teaching of no religion whatever?

There might be some danger certainly, but it does not strike me as a great one, because of the large number of fellowships that would be so distributed, and because it would be very well known that certain individuals had not taken them for that reason.

140. Has not the discussion of this subject, and similar subjects of a polemical and political character in the University, been more or less injurious to the general teaching of the University; I mean the question of the abolition of tests?

I really think we discuss it less there than it is discussed anywhere else; we have our own opinions, and are known to have them, and we do not attempt to argue the question much with other people at Oxford.

Rev. D. P. Chase. 25th July 1870.

141. Do you not think that it has increased, or at any rate kept up, a good deal of political bitterness in the University?

Latterly, I should think, perhaps, it may have done so, but I have no reason, personally, for saying so. I am very well acquainted, and on very good terms, with many of those who are very eager for this Bill; we are none the worse friends on that account.

142. Then if you are none the worse friends with those persons who are the advocates of this Bill, why should the fellows of a college be on worse terms with those persons when this Bill is passed?

If those persons and I had any power of passing or rejecting it, and we belonged to the same body, I dare say we might feel a little more strongly. At present we feel we can do nothing; but under those circumstances, in a college, you would have a fight on every occasion; you must have it.

143. Do you not believe that whatever action Parliament might take in this matter, for a considerable time at least, the number of persons who would avail themselves of this advantage of becoming members of a college, with very indefinite religious opinions, would be very small?

I think it would be very small.

144. In the large colleges, the effect would probably be almost imperceptible, would it not?

It would be imperceptible, unless these persons were resident; you could not talk freely upon subjects that would interest you, if you knew that there was a man in the room whom you might offend by every second word you spoke. You could hardly deal fairly with many subjects that come up, with that hanging over you; good manners would, I think, necessarily produce the avoidance of all such topics.

145. Are those topics generally avoided now, when, as you have already admitted, there is considerable dissidence of opinion?

I should say that they were, as far as my recollection goes, unless you get a very young man who wants to surprise and irritate those who are older than himself. You sometimes hear him do it, but other people do not.

146. Do you think there is much controversy upon these subjects amongst the young men themselves?

I have no means of forming an opinion, but I should fancy not.

147. Do you think that the presence in the governing body of certain representatives of polemical opinions, would tend rather to increase polemical discussion among the young men?

No, I do not. I wish I could think it would, because it would show that they thought more about these things than they usually do.

148. You would rather fear, in fact, indifference than religious earnestness?

Indifference is what I should be afraid of, and especially authorised indifference. There is plenty of indifference now.

149. Do you think that such tests as these can practically be considered as any remedy, or defence against indifference?

The question of what test should be adopted is perhaps a different one. We may have too many tests; but there is hardly a position in life to which a man is admitted without a test, as it is, and I should have thought that a man's saying *bonâ fide* that he was a Christian, would at all events keep him silent afterwards if he were not a Christian.

150. You are aware of the absence of tests in, I believe, all the great foreign Universities, are you not?

I am not aware of it, but I think they have not the domestic system of colleges; that makes all the difference with us.

151. *Bishop of Gloucester and Bristol.*] I should like to ask you a little about the effect that the contemplated measure might have upon some of the professors or readers in Divinity. I am imperfectly acquainted with the Statutes of your University, but I think perhaps I shall be right in saying, that the present measure would not affect the Regius Professor of Divinity as far as election is concerned?

I do

I do not know any Professor of Divinity that it would affect, except one who was elected by the heads of houses.

152. That was the point I was coming to. I may assume, may I not, that the four principal Divinity Professorships would not in any way be affected?
I think they would not.

153. I will come then to the Professor of Exegesis. He, I think, is elected by the heads of colleges and halls?
He is.

154. Do you think that it would be desirable that the professor of a subject such as that I have mentioned should be elected by any who were not in holy orders?
I see no objection to it, because, as far as I understand the professorship, it is really scarcely a doctrinal professorship.

155. In the interpretation of the Holy Scriptures, as given by the professor, surely doctrine must in some way come in?
It is difficult to keep it out, no doubt. But what I meant was that, as compared with the other professorships, the business of the Professor of Exegesis is rather to say, What does this passage mean? Just in the same way as the Privy Council would say, What does a theological formula mean?

156. You would still admit the large power of importing opinion through interpretation?
Yes, of course.

157. You would not consider it, as you have said, undesirable that the Professor of Exegesis should be appointed by others than those in holy orders. To take a step lower, do you think that it would be undesirable that he should be elected by any who were not *bonâ fide* members of the Church of England?
I should not object to it at all myself provided they were Christians.

158. May I ask what you exactly mean by "Christians"?
The only people that I know that I should exclude would be Socinians and Unitarians; I mean the only people calling themselves Christians.

159. What you have been kind enough to mention with regard to the Professor of Exegesis, I suppose you would consider equally applicable to the Grinfield Lecturer on the Septuagint?
Yes; perhaps even more so, as the subject is narrower.

160. In the case of the Grinfield Lecturer there would be no objection to his being appointed by any who came under the general term of "Christian"?
I should see no objection.

161. In other words, you would object to any so-called Unitarian or Socinian having a vote for either of these professors, but you would not object to anyone else?
Not to anyone else calling himself a Christian.

162. I should like now to put a few questions upon another subject, which has not yet been touched upon, but which will, I think, be in some degree affected by the measure which has lately been submitted to Parliament; I mean, not attendance at college chapels, but the service that might be obtained in college chapels; I will, however, first ask the broad question, do you consider that it is desirable that there should be service in college chapels?
Yes; I think it very desirable.

163. Twice a-day, morning and evening?
Morning and evening, as making it rather lighter to everybody to attend once a day.

164. You would, I suppose, think it desirable that the service of the college chapel should be the same as the usual morning and afternoon service of the Church of England?
I should very much like it to be shortened, not introducing anything that is not in the Prayer-book, but being allowed to shorten what is in the Prayer-book.

 165. I was

Rev. *D. P. Chase.*
25th July 1870.

165. I was not unprepared for that answer, and that would lead me to this question; by what authority do you think it desirable that there should be this shortened form of service?
I suppose that nothing but an Act of Parliament could do it.

166. In case of a repeal of certain clauses in the Act of Uniformity, it would, as you know, not be compulsory?
Just so.

167. Could you mention, then, by way of suggestion, any one to whom the supervision of such shortened services should be committed?
I should have thought that the head of each college would be a sufficient authority.

168. Would you give that authority to the head of a college if he were, I will say, first of all, not in holy orders?
Yes; I think I would. I should have no objection to require the assent of a certain portion of his college to such a change.

169. You would suggest that the most desirable thing would be that any alteration of the service of the Church of England, by way of shortening it, should be subject to the general direction of the head of a college, and in case of his not being in holy orders, with the assent of a certain number of the fellows of the college?
Yes, I think that would do very well.

170. Do you think that any appeal would be desirable to the visitor of a college in such cases?
Not if, as I contemplate, it was merely abbreviating the service already prescribed. If you gave any power to introduce changes, that would be a very different thing.

171. You would, however, consider that in every case the service ought to be limited to what we find in the Prayer-book?
I should not like to say that; all I say is, that if I gave any power of alteration I should perhaps look for a different authority to authorise such alteration. I think we should be very much the better for having the power of introducing occasional prayers with reference to particular circumstances or events. But that does not apply to college services more than to any other services, I think.

172. Colleges, I believe, are independent of any ecclesiastical jurisdiction otherwise than visitorial, so I will ask, simply by way of ascertaining your judgment, whether you think that such an officer as the Bishop of the diocese would be a suitable one to consider, when a college was pleased to refer the question to him, such changes in the daily service?
No; I do not think an appeal to the Bishop of the diocese would be good. I would much sooner appeal to one of the Archbishops.

173. You think that an appeal would be desirable to the Archbishop of the province?
If any appeal was wanted; but I think it is a matter that we should practically settle very easily amongst ourselves if there were no alteration, but merely an abbreviation, allowed.

174. Let us now take an unfavourable case, in which the head of a college might be of any or no denomination, and in which the majority of the governing body of the college might be equally so; do you not think that you would then have left the service in the college chapel in some degree open to the danger of mischievous innovation?
In so extreme a case it would be a certainty, I suppose.

175. Then you would admit that, if the head of a house and the majority of the fellows were circumstanced as I have described, innovation might be reasonably looked for?
I should think so, certainly.

176. And I need not say that you would feel it to be highly undesirable?
Very undesirable.

177. With

177. With regard to the fellows who are in holy orders, and who might be profitably employed in conducting the services of the chapel, do you think it desirable that there should be any further freedom with respect to not being in holy orders, speaking of the colleges generally?

I think it desirable that there should be a certain proportion in holy orders, but very undesirable that anybody should take orders as a condition of retaining his fellowship.

178. You have, perhaps, not thought sufficiently closely on the subject in reference to the University generally, to be able to indicate to the present Committee what your opinion would be as to the proportion that would be desirable; whether one-third, or less than one-third, or what?

If one were reconstituting the body, I should have thought that even less than a third of a large body certainly would do very well, but with us it was the changing of a foundation almost entirely clerical, and the question was how much of that you would retain.

179. Do you think that any great shock would be given to the University, and the University system generally, estimated in its religious aspects, by the heads of colleges having the liberty of not being in holy orders?

No; not in the University itself. It seems that throughout the country people always do prefer that the heads of educational establishments shall be in holy orders.

180. The discipline at Oxford, I suppose, is, as at Cambridge, exercised by the head of the college and certain officers who are associated with him?

Yes.

181. Do you not think that the fact of the head of a college holding the responsible position of one in holy orders, and probably from time to time preaching in the chapel, would conduce to the general discipline of the college?

Yes; but not more, I think, than in the case of an influential tutor.

182. Whether in orders or not?

No; I meant an influential tutor in orders, preaching in the college chapel.

183. The point of my question was to ascertain whether, from your experience, you did not think that, as regards discipline and moral questions, one accustomed to speak in the college chapel in sermons or lectures would have a greater weight in the advice he might give, or the discipline he might exercise, than another who was not accustomed to do so?

Yes, I should think so.

184. Lord *Colchester.*] With reference to some questions which the Chairman asked you, do you think that a distinct line can be drawn between the theological and the secular education in the Universities?

I should say not.

185. Is there any large amount of University education, except, of course, mathematics, where a man's religious opinions would have no effect upon his view of the subject?

I can hardly conceive myself that they would have any perceptible effect upon his teaching of the classics, though I am aware that Dr. Arnold said they would.

186. Would they not affect a great part of what is comprised in the classical examination, that is to say, the first school's examination?

Yes; as regards moral philosophy.

187. Did I understand you to say that Bishop Butler's Sermons are no longer read as a book for honours?

I think Butler has been out of fashion for some time now.

188. A short time ago Butler was always taken up, was it not?

In my time it was.

189. The examiners, whoever they may be, have a large share in modelling the examination, have they not?

I suppose they have.

Rev. D. P. Chase. 25th July 1870.

190. At the same time it is not thought right by the examiners to do anything towards encouraging or discouraging any class of opinion, is it?
Distinctly not.

191. I think you said that the two classes of persons who were likely to be admitted to fellowships if the Bill passed, were the Christian Dissenters, and some persons who are hardly to be considered Christians at all?
Yes.

192. Is it not likely that the Christian Dissenters would take a narrower and more restricted view of many studies, just as the other class would take one much looser than the present?
Yes; I was speaking of both those classes rather with reference to the colleges than to the University.

193. Would they not very often be the two extremes in the University?
Yes.

194. Then would not the conflict of opinions in the University be rather increased than otherwise by the introduction of these two antagonistic elements?
I think they would be very small elements for many years to come. Christian Dissenters would be constantly getting absorbed.

195. Do you consider that there is any object in bringing up to Oxford men who are now non-residents. Is there any object in the present non-residents being made to reside?
No, I do not think there would be any object in it.

196. Not unless they had work to do?
No.

197. Do you consider that the number of tutors and men taking college work is much too small at present, and that you require to be strengthened in numbers?
It differs in different societies. In my own it was sufficiently striking, that after 12 years' absence I should have returned as a tutor there, because there were not enough to carry on the work without me.

198. If the scheme you have been alluding to were carried out, do you think that the college fellows would take the test with more sincerity, and more sense of responsibility for it, than it is taken with now, when they had the alternative of becoming University fellows if they pleased?
I think so; I think nobody would take the tests then unless he felt perfectly comfortable in taking them.

199. It would be a stronger case than at present?
Yes.

200. At present there are some non-residents who are well known as writers, who hold what can hardly be called Christian opinions, are there not?
I believe there are.

201. Earl of *Carnarvon.*] With regard to the plan which has been so much under discussion, I think, according to your idea, about one-half of the endowments of the colleges would be surrendered, would they not, to create the University fellowships?
Yes, I thought in a very rough way that one-half would be enough to retain, and that you might give up one-half without crippling the actual education in our bodies as it at present exists.

202. The remaining half, in fact, would provide the educational machinery in most cases?
Yes, I think so; not only the educational, but the administrative machinery, of which there is a little.

203. And on the other hand, by surrendering one-half of those fellowships to the University, you would surrender, practically, one-half of the government of the University to those who held them?
No, because congregation consists merely of residents, and of course there are

are many who become members of congregation who are not fellows of any college.

204. I think a noble Lord on this side of the table asked you whether these University fellowships, if they were created, might not be considered to have an anti-theological tendency, and replied in the negative?
Yes, I cannot see that they would.

205. Would they not be open to persons of every shade and colour of opinion and belief?
Certainly, I should anticipate so.

206. They might be held by members of the Church of England?
Yes, even by clergymen of the Church of England.

207. As well as by Dissenters or by Free Thinkers?
Yes, it would be simply that no question whatever would be asked as to religious opinions.

208. I think you have at this moment, in one or two colleges, Dissenters holding collegiate offices or fellowships?
At Oriel we have a Presbyterian Fellow, and have had for some time. I refer to our new Regius Professor of Civil Law.

209. And the objection that you feel to this Bill is, not one either of endowments, you may say, or of Dissenters; the objection goes to the admission of men who either have no religion at all, or who are supposed to be likely to inculcate no religion at all?
Yes.

210. Do you think that this Bill sufficiently looks to the difference which does exist, and which, I presume, in your opinion, ought to exist, between the University as such and the colleges?
No, I think that it tends to confuse the two things in everybody's mind.

211. Theoretically, of course, the training that is given in the colleges is altogether a different training from that which you look to in the University?
I would hardly say that it was altogether different, but the one bears very little proportion to the other.

212. The University training simply looks to the intellectual culture of the student?
Yes, to that solely.

213. The college training would embrace a very large share of the domestic influences?
Yes, I think so; certainly it does in practice.

214. Is not that also practical as well as theoretical?
I think it is carried out to a very great extent.

215. The average age of the young men who come up to Oxford does not, I suppose, exceed 17 or 18 years?
I should think the average was fully up to 18, perhaps a little beyond that.

216. In many cases, if not the majority, the young men pass directly from the upper form of a large public school to one of the Universities, do they not?
Yes, very frequently.

217. Therefore, for the first years of their residence, the University is really very little more to them than a great public school?
I suppose it is very much so.

218. Would you consider that the mind of a young man of 18 or 19 is in a fit state to undergo perpetual argument as to the existence of a God or a future state?
Certainly not.

219. I presume that afterwards, at a later stage, you could have no objection to those questions being discussed and considered by every man who is competent to form an opinion upon them?

Rev. *D. P. Chase.*

25th July 1870.

No; I should have no objection at all; I would not have them forced upon anybody.

220. Do you suppose from your own experience, which I know has been great, that the parents who send their sons up to Oxford, imagine that at present they are likely to be subjected to that sort of discussion?
I should think not at present.

221. The general impression of most parents in England, would be that their sons would receive an education which at all events would not be opposed to religion, if it was not distinctly and decidedly very religious?
I should think so.

222. It has been very frequently said that the religious instruction as given through lectures and in the colleges is very small. Is that borne out by your experience?
Certainly not, either at Oriel, or at Saint Mary Hall.

223. It has also been said that the amount of religious influence and moral influence which is exercised by the general life of the college is very feeble; is that your opinion?
It must vary in different times, and in different places; I have known it very strong, and I think it is always considerable.

224. It has been said that the influence of the college chapel is nothing more than a mere roll call; is that your impression?
Certainly not; that does not accord with my experience.

225. You believe, in fact, that the moral and even the religious influence which is exercised in the colleges under the present system, is one calculated to produce an effect, if not upon all minds at all events upon a considerable proportion of the minds which are subjected to it?
Certainly.

226. You were examined a little time ago with regard to the non-resident fellows. May I ask you whether you can give us anything like the approximate number of the non-resident fellowships in your own college first, and in Oxford generally afterwards?
I am afraid it would take me rather a long time to ascertain that; I could find it out of course. I should think, speaking in a rough way, that one-half are non-resident.

227. I understand that it is your opinion that men who draw their endowments from the University, ought at all events to take some share in the affairs of the University?
They ought, if they are called upon to do so. It would be of no use to have them there without having any employment to give them.

228. Is it desirable that money should be taken away permanently from the University, as a mere reward for intellectual achievement, and spent totally irrespective of the University and University purposes elsewhere?
I think not.

229. Again, is it desirable, with reference to the University, that those who hold this class of fellowships, should never come as it were under the influence and within the sphere of the University, except on stated and exceptional occasions?
No; I think it is that which causes very much of the separation between the two classes of fellows, namely, that we live under two very different sets of influences, and perhaps can scarcely adequately understand one another.

230. Therefore that separation would really be a cause you may say of mental discord, and would prevent that homogeneity which ought to exist in the University for its benefit?
I think it has very decidedly produced that effect.

231. The object of this Committee, as you are aware, is to see our way if possible to some safeguards for the maintenance of the religious teaching in the University. Do you see in this Bill anything which, judging by the light of

of your own long personal experience, deserves the name of an effective safeguard?

I have seen nothing that resembled it.

232. Earl *Beauchamp.*] You were asked by a noble Lord just now, whether this Bill drew a sufficient distinction between the University and the colleges; I think you answered that it did not?

I did.

233. This Bill professes to deal with both classes of the subject?

Yes.

234. You are aware that the Bill before Parliament this year, is the result of the amalgamation of two separate schemes, dating from different times?

Yes, I have been aware of it for some time past.

235. There was one Bill introduced into the House of Commons some years ago, for the removal of University tests, and another for relieving the heads and fellows of colleges from the obligation of signing the declarations prescribed in the Act of Uniformity?

Yes.

236. To which of these two measures embodied in the same Bill would the greater part of your objections apply?

Almost wholly to what will affect the colleges.

237. I understood you to say, in answer to a question put by the Chairman, that the University exercises comparatively little religious influence upon the undergraduates?

Comparatively little.

238. In fact, the relations of the University to the undergraduates, apart from individual professors, is merely that of an examining body, is it not?

Almost exclusively; there is a moral discipline, of course.

239. Is not your name on that petition (*handing a petition to the Witness*)?

My name is attached to it.

240. Will you read the petition aloud?

"That your Petitioners have learned with pain that a Bill has been introduced into your Honourable House, enacting that no fellow or tutor of any college, hall, or house of learning shall be required or enjoined to make or subscribe the Declaration of Conformity to the Liturgy of the Church of England, contained in the Act of Uniformity; That the removal of the only test now by law required of tutors and fellows of colleges generally would render admissible to collegiate government and instruction persons of divergent religious creeds, or of no religious creed whatever; That the Universities are seminaries of the Church of England, and owe their greatness chiefly to their connection with the Church; and that the Church could not safely entrust her future clergy to persons who had given no security for their soundness in the faith; That the relations between fellows of colleges are very intimate, and that the harmony and confidence now subsisting must be destroyed by differences on the most important of all subjects; and that open antagonism in the religious belief of their teachers and governors must have a tendency to lead students to regard religious truth as a matter of indifference; Your Petitioners therefore implore your Honourable House not to pass into a law a Bill of which the effects would, in their opinion, be injurious to the highest interests of the University, the country, and the Church."

241. A large number of signatures of non-residents were obtained to that petition, were they not?

I believe they were.

242. I believe that that is a copy of the petition which was circulated (*handing a manuscript to the Witness*)?

I saw it at the time; I believe it is.

243. Amongst the list of non-residents who subscribed that petition, I think

Rev.. *D. P. Chase.* 25th July 1870.

think you will find on the first page the name of the then Archbishop of Canterbury, Dr. Longley?
I do.

244. And the name of the Archbishop of York?
I do.

245. I believe that was the present Archbishop of York?
Yes.

246. And Dr. Whateley, who was then Archbishop of Dublin?
Yes.

247. *Archbishop of York.*] What is the date of that document?
1863.

248. Earl *Beauchamp.*] I think on the next page you will find the name of "J. F. Mackarness, of Exeter"?
I do.

249. That is the present Bishop of Oxford, I believe?
Yes.

250. I understood you to say, in answer to the Chairman, that the University examinations in religious matters could not be altered in a sense hostile to the Church of England, without the consent of Convocation?
I did say so.

251. And that you did not apprehend any immediate danger of a change of opinion on the part of Convocation?
No; the only danger in that respect would be of an endeavour to get rid of the check of Convocation; whatever we as residents pass must pass the larger body also, and there is a tendency to get rid of that check.

252. But as the University modified its system to meet the case of undergraduate Dissenters, who were admitted by the Act of 1854, it would appear to be natural that the University, when so great a change was made as must follow if this Bill were passed, would alter its examination to meet the requirements under the Bill?
It might, but I should hardly think that that would be necessary; we have now given permission to anybody who declares himself not to be a member of the Church of England, to withdraw from the theological examination altogether.

253. That is on the understanding that the University is a body belonging to the Church of England?
Yes.

254. If that assumption is destroyed, the system of examination required by the University would, according to all principles of reasoning, require to be modified in a corresponding sense, in consequence of the University having ceased to belong to the Church of England?
The principle of course was given up when that arrangement was made, but I should have thought that that arrangement would be elastic enough. If not, the University examination might be modified, of course, and the Thirty-nine Articles might be dropped.

255. With regard to the plan which you sketched out with reference to University fellowships, and to fellowships generally, is it not the case that before the changes that were the result of the University Reform Act, passed in the year 1854, a fellowship was considered as a place of duty and trust, but that the result of that legislation has been to cause a fellowship to be almost universally regarded as an educational prize?
The effect has been much what you describe, but we were not strangers to abuses of fellowships before.

256. I am far from saying that that theory was carried out previously, but the theory was what I have stated, was it not?
Yes, that was the theory certainly; I think now fellowships are regarded as prizes to be won by a man for which he owes nothing to anybody. I think there

there is a very different spirit abroad in relation to the colleges to what formerly existed.

257. Before the legislation of the year 1854 came into operation there were a considerable body of fellows who were not actively engaged in education, but who were engaged in the prosecution of their studies, and resident at the University, were there not?

Yes, there were.

258. Has not that class been largely diminished as a result of that legislation?

Yes; because the colleges have had the power of making their own rules about residence, whereas they had no such power before.

259. And many gentlemen who formerly entered holy orders and studied theology in their colleges, have now been replaced by non-resident barristers, have they not?

Yes.

260. And the result has been a lowering of the collegiate tone and diminution of the beneficial influence which the colleges exercised upon their undergraduate members?

I do not know that I should go quite so far as to say that it had had that effect; as these gentlemen are not resident, they do not exercise much influence.

261. But although those gentlemen are not resident, they have the power to overrule the wishes of the resident fellows with regard to matters of discipline, and carrying on the business of the college?

Yes.

262. And that would result, probably, in a lowering of the collegiate influence?

It might perhaps have that effect.

263. In fact, whereas fellowships were formerly considered, as I have said, places of duty and trust, they have now become mainly ornamental appendages?

Yes. They certainly involve no duty now beyond that of attendance twice a year.

264. You told us that by your Statute, or by the Ordinance, you were obliged to elect as fellows those who were suited to be fellows of the college as a "place of religion, learning, and education"?

Yes.

265. Have you considered how far, if this Bill passed, you would be relieved from the obligation of considering the fitness of a person to be a fellow of a college as a place of religion?

I suppose everybody would put his own interpretation upon it.

266. When there was no religious qualification, you could not place any intelligible interpretation upon that obligation, could you?

No. As it stands in the Ordinance, it would become obsolete, I suppose.

267. What security have you for the maintenance of the present number of clerical fellows?

We have a rule by our Ordinance which has recently been modified again. We desired that whenever the number of clerical fellows should fall below five, we should not be at liberty to elect anybody who was not already in orders, because we desired to avoid the old evil of men taking orders in order to keep the income. But it has been thought since by a majority of the college that that rule has a tendency to give us men of rather a lower calibre than we otherwise might have, and so we have adopted the alternative of requiring a promise to go into orders within a definite time.

268. What means have you of enforcing the performance of that promise?

The fellowship would be void if the condition were not fulfilled.

269. But in the event of a lay fellowship becoming vacant, the fellow so elected would retain his fellowship, would he not?

 I think

Rev. *D. P. Chase.* 15th July 1870.

I think not; because he would have obtained his fellowship upon a definite condition, and if that condition were not performed he could not retain it.

270. Has not one result of the legislation of 1854 been a much more rapid succession to college livings?
In some colleges it has been so.

271. And that consequently clerical fellowships are held by comparatively young men?
Yes, I suppose it is so; but it has not yet affected our college.

272. You think that that would be the natural result?
One result has been that livings have been given away to people who do not belong to the colleges at all, because the young men who have obtained clerical fellowships do not want to leave the college so soon.

273. The clerical fellows being young men, would materially exercise less influence within the walls of the college than they would if they were men of more experience, would they not?
Yes, I should think they might have more influence if they were older men; but we can hardly say that it would necessarily be so.

274. You stated just now that the University expenses were on the increase?
I meant to say that the demands on the University resources are on the increase.

275. And that, on the other hand, the college wealth was at all events stationary, if not increasing?
Yes; it is generally increasing, no doubt.

276. As leases fall in, the revenues of the colleges will be largely increased, will they not?
Yes.

277. And if the present system continues, the amount of revenues divisible among the non-resident fellows who exercise no useful office in regard to the college will be largely increased?
There is a limit in most of the Ordinances at which there is a power to the visitors to interfere and say what shall be done with the surplus above a certain amount.

278. Is the limit such as is nearly reached at present?
It would be very nearly reached in my own college, except that we have a large amount of debt to overtake, which has been incurred in improving the estates which came into our hands.

279. But if the present system were to remain as it is, your fellowships, which are the rewards of success at one examination, would be largely increased in value as compared to what they were at the time when the present system was arranged, after the legislation of the year 1854?
Yes.

280. At the present moment a very large number of those who enter holy orders have passed through the University, have they not?
I believe so.

281. Is it your opinion now that in the event of some such measure as this Bill passing, the result might be to drive those who intended to take holy orders away from the Universities?
I do not think it would have any effect in that direction, because there are so many facilities offered to them for establishing their own institutions. They might have private theological halls.

282. Do you consider that that would be a beneficial substitute for the present system?
Certainly not, but I understood your Lordship to ask whether any such change would cause the theological students to leave Oxford. My answer to that is, that I do not think it would have that effect; but I think it would make them more and more sectional and narrow.

283. And

283. And so far from mixing generally with the other members of their own or other colleges, they would live by themselves, so to say, in a clique?
That would be the tendency, I think.

284. And that you consider would be a great misfortune?
I should think it would deteriorate the kind of men produced very much.

285. Do you think it essential for the education of the clergy of the Church of England, looking at them as a body, that they should be brought into contact, during their education, with other educated men whose occupations in life will be of various kinds?
I think that that is one of the most essential points.

286. Lord *Rosebery.*] You say that there are Free Thinkers already amongst the body of fellows at Oxford, who, under the irritation produced by their false positions, express their feelings and opinions with some freedom?
Yes.

287. Does that exercise any perceptible degree of influence upon the undergraduates?
In the only instance I had in view, I have no reason to think that it has done so.

288. And you think that even this expression of opinion would be much modified when the irritation produced by that false position was removed?
I think that the removal of the false position would have a beneficial effect upon the minds of that class of persons.

289. Have you reason to think that these gentlemen deliberately swallow their opinions in order to obtain the advantage of a fellowship?
I would hardly put it in that way; I think they have persuaded themselves that the imposition of any such test being in itself immoral, they may act in a way in which they would not act towards an obligation which they acknowledged.

290. With regard to your own proposed system, do you not think that they would be likely similarly to go in for the college fellowships under your proposition in preference to the University fellowships?
I do not think they would.

291. Do you think that the tests would act as an obstacle then, although they do not act in that manner now?
I think the natural fairness of people's minds would come in, and they would say to themselves, "There has been an effort made to accommodate us." I do not think they would deal with the existing tests then (supposing the existing tests to be retained), or with any tests that might be imposed in the same spirit as they now deal with existing tests.

292. Earl of *Morley.*] I understood you to say that you did not fear the action of this Bill upon the Universities, but only upon the colleges, and you found fault with the Bill because it does not make a distinction between the Universities and the colleges; is not that rather inconsistent with your own scheme of creating University fellowships?
Perhaps I did not explain myself sufficiently upon that point; the University implies no domestic association at all; it consists merely of disintegrated atoms acting together for certain purposes. It seems to me that you may require safeguards where you are intimately associated with men in daily life, which you do not want if that intimate association is not brought about.

293. At the same time you propose to take a great part of the endowments of the different colleges, and devote them to this purpose, which is a strictly University purpose?
I see no objection to that.

294. With regard to private tutors, does not the University system at present render it absolutely necessary for any undergraduate reading for honours, to have what is called a "coach"?
I think not; I think that is the case less than ever.

Rev. *D. P. Chase.*
25th July 1870.

295. Is it not almost universally done?
It is almost universally done, but a combination between the colleges which, as perhaps you are aware, is going on, makes the higher class of lectures more available and accessible to the undergraduates than ever it was before.

296. Are those lectures invariably given by fellows of colleges?
I think they are chiefly. I am speaking of the combined lectures of tutors of colleges. New College and Balliol have a working arrangement of that kind, and Merton, and two or three other colleges have a working arrangement of that kind.

297. Still the private tutor exists, and has almost more influence than any other part of the teaching body, has he not?
I should very much doubt it. I have often heard it said, but I have not known it to be so. I have not been in the way of knowing it.

298. Those private tutors are not appointed by anyone; they have no restrictions?
They are simply selected by the taught body.

299. One great point upon which you have given evidence has been in regard to the non-resident fellows of colleges; have you considered at all how this Bill affects that question of non-residence?
No; I have not considered it with reference to that question at all.

300. Do you think that the abolition of University tests would in any way whatever, directly or indirectly, affect the great question of the residence of fellows?
No; I cannot see any connection with it myself.

301. Was not the change made by the University Commission this, that it abolished the power of summoning fellows which the head of the college formerly possessed?
I think in our case, at Oriel, it simply put it into the hands of the college to make what regulations it pleased with regard to residence, whereas before we had to ask leave of the head of the college whenever we wanted not to reside.

302. With regard to the Divinity Professors, you have seen, of course, the clause in the Bill relating to that subject?
I have not seen the Bill for some time.

303. The first sub-section of the third clause says, "Nothing in this section shall render a layman, or a person not a member of the Church of England, eligible to any office, or capable of exercising any right or privilege in any of the said universities or colleges, which office, right, or privilege, under the authority of any Act of Parliament, or any statute or ordinance of such university or college, in force at the time of the passing of this Act, is restricted to persons in holy orders, or shall remove any obligation to enter into holy orders which is by such authority attached to any such office;" do you consider that that would be a sufficient safeguard against the appointment of any person who, as you say, would be adverse to any dogmatical teaching to the post of a Professor of Divinity?
Speaking generally, it would; but the Professor of Exegesis, on which professorship I was examined just now, is not bound to be in holy orders at all.

304. With regard to the general lectures, you say that Mr. Ruskin could lecture on anything under the sun, when he was professedly lecturing on the Fine Arts; may I ask how Mr. Ruskin was chosen, who were his electors, and what were the restrictions upon his appointment?
I said that he had lectured in that way, not that the terms of his appointment enabled him to do so. I really forget by whom he was elected. I believe it is a small Board constituted under the will of Mr. Slade (accepted, of course, by the University) which has the appointment.

305. At any rate, the University had the power to prevent his election, had it not?
No; the University had no power in the matter.

306. Then

306. Then this Bill would not affect that professorship in the slightest degree?
No.

307. Have you at all calculated, or do you know at all, the number of clerical fellowships at Oxford?
I have not calculated them at all. It would be necessary to go into each ordinance in order to arrive at the number.

308. Have you any general idea of what the proportion of clerical fellowships is to the whole number of fellowships?
With us it is one-third. I think the greatest amount is one-half; so, I suppose, if you take the average to be between one-third and one-half, that would not be far wrong.

309. Then, with regard to the divergence of opinion which you seem to fear so much under this Bill, do you not think that if your scheme were adopted of drawing a line and saying that a certain number of fellows should be simply non-theological, and that others should be still subject to tests, it would necessarily create two hostile camps?
I do not think it would do so any more than the present system. A man who chooses to remain a lay fellow of any college, of course, does not now take the additional tests, which are taken by a man who goes into holy orders. There is a difference, of course, between them in that respect, but they are not divided into anything like two hostile camps.

310. There have been several instances now, have there not, of fellows who have resigned their fellowships since their appointment on account of the tests?
I have not heard of any in Oxford.

311. Are you not aware of any at all?
Not for the last 20 years.

312. Is it not a sort of fine upon their consistency and sincerity, and do you not think that produces rather a bad feeling in the minds of the young men who are being taught there?
I really cannot see that at all. You give a man every emolument and every chance of distinction, but you say if you want a particular office you must submit to a condition which, in my mind, is essential.

313. *It* is essential to being a fellow of the college?
Yes.

314. You say that one of the great evils would be that the colleges would be ruled by men not connected with them and without sympathy with the college, from the fact of their being non-resident, would that be at all increased by this Bill?
No.

315. That has no bearing on the question?
I do not see that the question of residence or non-residence has any bearing upon the question except with regard to the power of handing over funds for university fellowships.

316. Do you think that the tests, as they at present exist, have at all impeded the progress of undogmatical teaching, or prevented it being taught?
I should have thought they had to a very great extent.

317. Duke of *Somerset.*] Your attention has been called to the purpose for which this Committee has met, namely, to provide by law proper safeguards for the maintenance of religious instruction in the Universities, and you state, I think, that you see in this Bill no sufficient safeguard for that purpose?
Yes.

318. When you were asked what safeguard you would suggest, so far as I understood you, the only safeguard you suggested was that there should be two classes of fellowships; one class of fellowships subject to the test, and one class of fellowships free from the test?
Yes.

Rev. *D. P. Chase.*

25th July 1870.

319. Is that the only suggestion you make for the preservation of the religious instruction of the Universities?
I hardly understood that I was at liberty to make any suggestion; it was rather to explain a suggestion I had made more than a year ago.

320. Will you state what suggestion you can make with the view of assisting the Committee towards finding a safeguard for the maintenance of religious instruction in the Universities?
I should not desire myself to retain all the tests that are now exacted from fellows of colleges; I have thought myself that I should be perfectly well content with a *bonâ fide* declaration that a man was a Christian.

321. Then your first measure for the preservation of religious instruction would be to abolish the present tests at least?
I would be very willing to relax them.

322. To alter them?
I would be very willing to relax them; I do not think they are necessary.

323. Have those tests prevented that divergence of opinion to which you referred, during your experience of the last 25 or 30 years?
I should have said that, when I speak of divergence of opinion, I mean divergence from Christian opinion, not divergence of opinion within the Christian body; it is like the outbreak of a new disease to us; we used to hear of plenty of divergences in the Roman direction, but divergence towards infidelity we never heard of till lately.

324. But divergence in the Roman direction was a divergence not friendly, at least to the Church of England?
No; not friendly to the Church of England.

325. But you thought that not so objectionable?
I did not give any opinion upon that; I merely said that that was the only kind of divergence that was known in my younger days.

326. For instance, judging from the literature of the day, has not there been a great variety of religious opinion among the professors at Oxford?
I am not aware of any instance.

327. Take the writings of the late Baden Powell, was not he a professor at Oxford?
Yes, but he was also in orders.

328. Though he was in orders, and though he was a professor of the University, his writings are not exactly in harmony with the opinions generally entertained by clergymen of the Church of England?
No.

329. Therefore, so far, the tests that we have had in past time have not secured either that harmony in the Universities or that safe instruction in religion which you would desire?
Mr. Baden Powell had been a professor and a clergyman for a great many years before he wrote that book.

330. But that divergence on his part was not prevented, so far as I understand, by any tests imposed by the University?
No.

331. Therefore, those tests after all are very insecure safeguards?
I do not think so.

332. At least in that case they did not produce any safety?
If all guards that fail are insecure it would be so.

333. Professor Jowett's writings were not very agreeable, at least to Dr. Pusey?
No.

334. That showed, did it not, a great divergence of opinion and a want of that harmony which you desire to maintain in the University?
I am not aware that that would be an instance of divergence towards scepticism.

335. I did

335. I did not say towards scepticism (though, perhaps, if we went into that subject we would find some curious things in his writings upon the Epistles of St. Paul), but it showed a great divergence at least from many other persons in the University?
Yes, in a free church you must have that.

336. In a free church these tests are, after all, no great security?
No security against divergence within certain limits.

337. Do you think it does not even go beyond that?
There has been a change in people's views of honour on these points. I remember a brother fellow of mine who gave up his fellowship, and his position as tutor, in spite of all remonstrances, because he felt that he could not honestly retain them. A man in his position would be laughed at as an enthusiast by the party to which he belonged if he were to dream of doing such a thing now.

338. You think the moral tone of the University, even under the influence of these tests, has been very much lowered?
Yes, certainly; I would rather say coincidently with those tests.

339. Then the tests have not kept up that collegiate tone to which you referred as being so very desirable?
No.

340. Your remedy is to establish two classes of fellowships, one class not to take part in the college government?
Yes.

341. Seriously looking at the state of public opinion in this country, how long do you think that would last; do you think there would not be at once a grievance, and do you think that that would not go on increasing from day to day?
I think it might; I was merely thinking of what would be fair, and what would be workable. So long as there are people who are determined to destroy all dogmatic religion, so long we must expect a certain class to be dissatisfied.

342. The question is, whether tests have, upon the whole, worked so satisfactorily that it is worth while to enter into a serious conflict with public opinion in order to maintain them?
I do not know how far I may answer that by saying that public opinion is not, I think, sufficiently informed on the facts of the case. I doubt very much whether we should find that there was any conflict of public opinion if the facts of the case were known.

343. Do you think you could bias public opinion the other way by spreading information?
By the mere spread of information I believe you would alter the whole complexion of the question.

344. Is not there a prevalent belief in this country that the disturbance of religious opinion during the last 30 years has very much originated from the intellectual activity of the University of Oxford?
Yes, I suppose that is so.

345. In fact, from the time of the Tractarian movement, above 30 years ago, to the present day, have there not been continued movements within the University of Oxford which have very much shaken and disturbed religious opinion in this country?
Yes, I believe that is so.

346. That being so, it would appear again that the tests have not given us that calm tranquillity and that harmony which is so desirable?
No.

347. As to the new test which you would propose, do you think it desirable if we abolished the old tests that we should introduce a new one of any kind?
I think it is essential to the Universities possessing the confidence of the country that there should be some religious test; it need not be a minute ecclesiastical

Rev. *D. P. Chase*

25th July 1870.

ecclesiastical test, but I think that without a religious test the Universities would forfeit the confidence of the country.

348. Do not you think that a vague and indefinite test is the worst sort of test you can possibly have?

No, I cannot say that I do. Tests in the earliest times were very vague.

349. You would require that a person should declare himself to be a Christian?

I am not prepared to state the exact form in which I would put the test; what I mean to say is, that I should personally be content with anything that gave me the idea that Christian instruction would be kept alive in Oxford without reference to the Church of England or any other church. And I think that is the line which public opinion would take. We do not care which church it is, but we require some guarantee for Christianity.

350. That is not in accordance with the prayer of the petition which you just now read, which is that the University of Oxford should be a seminary for the Church of England. You would give that up?

I am afraid that we must, but I do not personally so much care what form Christianity takes. Besides one does not always agree with every word in a petition that one signs.

351. Is not it pretty clear that the University must prepare itself to be separated from that close connection with the Church of England which it has formerly had?

I think certainly.

352. If that separation is to take place, what, in your opinion, would be the best way of strengthening the University on the one hand, and the Church of England on the other? Would it be to create and to continue an irritation not only amongst those whom you call the infidel party, but those whom you call Dissenters?

I think we have very great reason to complain of the way in which the question has been argued with reference to Dissenters. Dissenters have been led to suppose that we want to keep them out, whereas there are certainly a great number of us whose only object is to keep out infidelity, and who would welcome a good, honest, orthodox Dissenter as an ally.

353. The difficulty is to frame a test which shall admit the one and keep out the other?

That is the difficulty, no doubt.

354. And the only suggestion you have made to us is the substitution of a more general test?

Yes, but it is not a subject on which I have thought except in the most general way.

355. You have not much considered what safeguards could be provided for the maintenance of religious instruction in the University?

I have thought a *bonâ fide* acceptance of the Apostles Creed, for instance, might be sufficient. That is a document pretty well and pretty generally understood by this time; a man would be able to say whether or not he accepted it.

356. That would satisfy you?

I would very much sooner see a denominational system carried out; that would be only giving fair play to every denomination.

357. Lord *Lyveden.*] You stated that you had no fear of Dissenters, but that your fear was rather of those opposed to dogmatic teaching; how would you define men opposed to dogmatic teaching; do you mean men whom you do not consider Christians or religious men, though not sectarian?

What I really meant was, men who doubt at least, and perhaps disbelieve that there ever has been any definite revelation of Divine truth at all; I do not call those men infidels necessarily, but I call them the enemies of dogmatic truth.

358. You exclude from your definition of Christians, Unitarians and Socinians?

Yes.

359. Do Unitarians admit that they are not Christians?
No; it is only a way of defining the word Christian.

360. Are those men who would come under the denomination of men opposed to dogmatic teaching?
I should have thought both would; dogmatic Christian teaching certainly.

361. What is your present guarantee against the admission of such men?
We have none except the existence of the test; the assumption being that the average gentleman will have average honesty.

362. You propose a new and more general test; do you, from your general knowledge of what is passing in this country, imagine that it would be possible to adopt a new test if this Act was not passed and the ordinary test were abolished?
I think it would, after a fair explanation.

363. Have you any general expression of opinion to back you in that?
No; but I gather from what I see elsewhere that people are in favour of committing educational institutions generally to those who have given some pledges of their opinions.

364. You stated that the tests were taken by men who objected to dogmatic teaching, but you said that you thought they were lacking in common morality; you are probably aware that we have many instances in history where the tests have been taken by men who did not believe in Christianity?
I dare say.

365. Men of high ordinary honour, and men of great literary merit?
Probably such men have persuaded themselves that the imposition of tests at all is so unrighteous, that it is not a crime to defeat that in a way which I should call defective morality.

366. If those tests have not excluded such men as I have described, do you think the test you are now proposing would exclude them?
I do not think that any test that could be devised would give perfect security.

367. Would the test of the Apostles Creed exclude such men?
It ought, if they were honest.

368. Does past experience back you in saying so?
I think it would stop most Deists.

369. You say the tutors are bound to teach the Thirty-nine Articles?
At present, I believe they are.

370. What do you mean by teaching the Thirty-nine Articles?
You have to explain them, or to give the proofs upon which they rest, and a good deal of the history of the framing of them.

371. Are the tutors bound to give that instruction in furtherance of an implicit belief in them?
I do not think that question ever arises.

372. Would it be possible to teach the Thirty-nine Articles without commenting upon them to the pupil?
Quite possible, I should say.

373. Without any explanation?
Without commenting upon them.

374. Would not explanation in the case of one man, and in the case of another man be totally different?
Not totally different. I think it could hardly be that; I meant to say my experience of teaching is, that it is not used as an engine for inculcating any particular views, though of course a man's teaching must be a little coloured by his own views.

Rev. *D. P. Chase.*

25th July 1870.

375. In the moral philosophy examinations the tutors have the choice of what books they shall give to the pupil?
No; it is either positively prescribed or positively left open by the University.

376. I thought you said Bishop Butler had been excluded?
It is not excluded, but being an optional subject it is one that has been discouraged.

377. Why?
He is gone out of fashion; I do not know why.

378. Who makes the fashion?
I suppose the particular set of examiners at one time.

379. What are the works of Bishop Butler which have so gone out of fashion?
The Analogy and the Sermons were the books which we used to take up.

380. And they have not been taken up lately?
I have understood that they have been taken up very infrequently lately; I have not been an examiner for honours, and therefore I do not know very much about it.

381. Will you be good enough to repeat what you said about your having a Presbyterian examiner in your college?
I said that a Presbyterian had been a fellow of Oriel for some years, that he had lately been made Regius Professor of Civil Law, and that he has been an examiner in the law schools.

382. Was there any objection made to him?
No, there was no objection made to him; in fact there could not have been very well; there was no opportunity; I do not think he would have been objected to if there had been the opportunity.

383. Except the suggestion you have made of a more general test, you cannot point out to the Committee any guarantee, supposing this Act to pass, with the view of preserving the religious character of the instruction?
No; I would be perfectly well content with some guarantee for the Christian belief of those in authority.

384. As to Ruskin; when you talk of Ruskin's lectures being upon everything, was there any religious question included?
Quasi religious; I mean they were so discursive that you could not tell what they were about; they were not about Art; that was all.

385. And that you thought objectionable?
No, I did not think it objectionable; I alluded to his lectures in answer to a question whether the professor might not introduce into his lectures very different subjects, and I pointed to that instance to show that it was done as a matter of fact.

386. Do you see any remedy for that?
The Slade Professorship of Fine Art is tenable for three years, and the professor is re-eligible at the expiration of that term.

387. Lord *Stanley of Alderley.*] Have you any theory by which to account for there being a larger number of persons hostile to religion, or unbelievers, at Oxford than at Cambridge?
I should have thought, on the whole, religious subjects, perhaps, were more deeply thought about at Oxford than at Cambridge; I mean that would be the probable explanation.

388. Is Aristotle as much used as a class-book now as in former times?
Quite as much; certain treatises.

389. Earl of *Harrowby.*] Which?
The Ethics; but the Rhetoric has been dropped for years.

390. Lord *Stanley of Alderley.*] Should you be satisfied with a test such as

as that which is required in a court of justice, to enable a man to give evidence?
No, I think not.

391. Would not that be enough to admit all the Dissenters, and to keep out the Darwinians?
It would not keep out the Deist. A man is admitted to give evidence in a court of justice if he believes in the existence of a God, and in a future state: that would not pledge him to anything about Christianity in any way.

392. Earl of *Harrowby.*] You hold that, because a system has not been perfectly successful as a protection against an evil, that is no reason for the removal of all protection hereafter?
Just so.

393. You do not hold, because all crime is not prevented by Acts of Parliament, that all Acts of Parliament should hereafter be abandoned?
No.

394. Is not that very much the argument used, as a reason for the abolition of old tests, that in some cases they have not been successful?
I have heard it used very frequently.

395. Do you not believe that the abolition of all tests would be a public declaration of national indifference upon the question of religion, which could not but have a very material effect upon the public mind?
I meant to convey that, when I said I did not believe public opinion was against a reasonable guarantee.

396. Do you believe that the late discussions upon popular education of a primary kind, have thrown any light upon the question we are now considering?
I think they have shown conclusively that the great mass of thinking people do want a definite religion of some kind, though they cannot agree as to what it should be.

397. The point come to in that discussion, I believe, was, that even in regard to day instruction, where there is no home treatment, religion is to be mixed with education; but to meet the difficulties of the time, and the country, that it should not in certain public schools take the character of distinct formula?
Yes.

398. Does not that very much coincide with the recommendation you have been making with respect to the Universities?
Very much. I should be satisfied indeed to see the academical question settled on the same terms as the more general educational question has been settled.

399. Are you aware of any Universities abroad which can be brought exactly into comparison with the English Universities in which the domestic system is combined with the University system?
I am not aware of any.

400. The fact of there being this domestic system combined with the University system, creates an essential difference in the mode of treatment of the question of education?
That is what I have always felt.

401. Therefore we have not the experience of any foreign countries to guide us in the course which is now suggested?
No; I do not think the examples of Universities in foreign countries apply at all.

402. Are you aware that the Commission who examined into endowments of public schools, of which Lord Lyttelton was the head, came to the unanimous conclusion (the Report being signed by persons of various religious persuasions), that where there was home treatment, that is to say the reception of boarders, there must be distinct dogmatic teaching?
No, I was not aware of that.

Rev. *D. P. Chase.*
25th July 1870.

403. Who is it who selects the books and the courses of study in the University; who directs, that is to say, whether Mill or Butler shall be the standard book?

I think, as far as I remember, that is left open, and all that the University says is, that upon such subjects recourse may be had to modern writers.

404. Who fixes on the particular book?

I suppose the proper examiner would, but he has no power to enforce it.

405. Does he give out beforehand what books the students will be examined in?

No.

406. Does the young man prefer to be examined in certain books?

Yes.

407. *Archbishop of York.*] You probably remember that in the Modern History school, a good deal of commotion was raised about the examiners putting out a certain set of books?

Yes.

408. Earl of *Harrowby.*] It depends on current opinion; the young men take up the books which they think will make them most acceptable to the examiners?

Yes; they judge by the papers that have been set to them.

409. You think that the present connection between the Church of England and the Universities may still be maintained, so that the Universities shall continue to contribute to the important purpose of education for the Church?

Yes.

410. Your notion is that a test, when it was applied to a more limited class, to those who were to be teachers in the colleges, would be considered a greater bond of honour, and would operate more efficaciously upon those who took it than if it was indiscriminately applied to all classes?

I think so.

411. That is your view of the greater efficacy of a test limited in its area, at the same time that it is more general in its expression?

Yes.

412. Earl of *Powis.*] You were asked whether the existing tests had prevented the movement of opinion towards Rome about 30 years ago. Were not those fellows of colleges who joined the Church of Rome obliged to resign their fellowships?

They did resign them; the question never was tried, but I believe there was a legal doubt whether they might not have retained them.

413. Could a member of the University after publicly joining the Church of Rome vote in Convocation?

Unless he was deprived. We have a man now resident who votes not only in Convocation but in congregation, having joined the Church of Rome very recently.

414. Does the power of depriving him exist?

Yes; a power which anybody may put in motion, but it is not thought worth while to do it; he is not a fellow of a college; he resigned his fellowship.

415. *Chairman.*] You were asked whether there was any connection whatever between the question of non-resident fellowships and that of tests, and I understood you in your examination in chief to say, that you thought the question of tests was closely connected with the composition of the governing body of the college; that in fact your remedy was directed to hit the weak point in that respect, and that the question of non-resident fellowships was connected with the composition of the governing body?

Yes, certainly in that way.

416. So in that way the question of non-resident fellowships does bear upon the question of abolishing tests?

Yes, to that extent that they both touch the same question.

Rev. *D. P. Chase.*
25th July 1870.

417. That is to say, that when there is no longer any guarantee for the religious opinions of the fellows elected, the fact of their not being under the same University influences as those who live at the University are, affects their fitness to form part of the governing body?
Yes.

418. Do you think that residence is greater now or less than before the Commission?
I should be inclined to say, on the whole, it was not much altered.

419. Earl *Beauchamp.*] Before the legislation of 1854, in many colleges with a large number of fellows the governing body was practically a small one, as in the case of Brazenose, and St. John's?
Yes; and there were certain changes with us that could only be carried by the consent of a certain proportion of the seniors.

420. So that, in fact, in confining the government of the larger colleges to a small body of fellows, you are only acting according to ancient precedent?
As far as the government of the college goes.

The Witness is directed to withdraw.

The REVEREND E. H. PEROWNE; is called in; and Examined as follows:

Rev. *E. H. Perowne.*

421. *Chairman.*] YOU are a Fellow and Tutor of Corpus Christi College, Cambridge?
I am.

422. You have given a good deal of attention to the subject of University tests?
Yes, for the last 12 years.

423. You have been prominently connected, I think, with those who disapprove of the proposed change?
Yes, for the whole of that time, I may say.

424. Will you give the Committee your opinion, as to the probable results of the change proposed in the Bill, and the precise nature of the evils you apprehend from it?
Perhaps I might be allowed to distinguish between the University and the colleges; I think one obvious effect upon the University would be this: The Council as at present constituted has the nomination of the Regius Professor of Divinity, and if the Senate, or those on the electoral roll, the resident body of the Senate, were composed of persons of different creeds, or of no creed, who might elect to the Council a number of persons who like themselves were of any or of no religious belief, I think it would be felt by everyone that we had a totally unfit body to elect the head of the Divinity faculty in the University. Again, if Dissenters (I mean those who are not members of the Church of England), are to have a vote upon all questions which come before the Senate, there are so many questions which though not directly religious, are yet mixed up with religion, and with the religious feeling of the country, that I think it would lead to a great deal of animosity and strife, where the atmosphere ought to be calm, as befitting a place of study.

425. Will you give the Committee, so far as you can, any indication of the nature of the subjects which would be brought before the Senate which would involve indirectly religious questions?
I may instance the sermons at the University Church. The question has come before the Syndicate, of which I was a member, as to the continuance of those sermons during the vacation. Again, the Board of Theological Studies, which has the charge of the whole of the theological studies of the University, is nominated by the Council and elected by the Senate. I can conceive that it would lead to very great complications if the Senate ceased to be in connection with the Church of England.

426. Is there any element of Divinity in your examinations at Cambridge?
There are Divinity subjects in the previous examination, the evidences of Christianity,

Rev. *E. H. Perowne.*

25th July 1870.

Christianity, and one of the Four Gospels. Then, again, in the general examination, which men who do not take honours have to pass at the end of their second year, the Acts of the Apostles is one of the fixed subjects. I should say that the large majority of the men who take the ordinary degree go out in what is called the theological line; that is to say, their final degree examination is exclusively theological.

427. Those are persons intended to be clergymen?
The majority, doubtless, but certainly not all.

428. Is it possible to escape all other examinations by confining your examination to theology?
One paper has to be passed either in Moral or Natural Science, or Law, but it is a very small part of the examination.

429. The other paper is necessarily theological?
All the other papers are theological.

430. And passing those examinations would be sufficient to obtain a degree for any person not going out in honours?
Quite sufficient.

431. Do you require persons not belonging to the Church of England to pass the preliminary examination?
In all cases.

432. You have had some cases of Jews; do you exact from them a statement of the evidences of Christianity?
I have never heard of any person being exempted from that paper.

433. There has been no pressure or agitation for an exemption of that kind?
I have never heard of any.

434. With whom does the prescription of such examination papers rest; who selects the subjects, and, when selected, who compose the papers?
The Senate, by grace, has ordered that the evidences of Christianity and one of the Four Gospels should form part of the examination. The choice of the particular Gospel is left with the Board of Classical Studies.

435. Then the Senate is supreme in the arrangement of the examination, and does practically exercise a control over it?
Through the Board of Classical Studies, which is not a permanent board, but elected by grace of the Senate, from time to time.

436. The professors are elected by a great variety of boards, are they not?
By a variety of boards. The Regius Professors, I think (I speak with a little hesitation) are mostly elected by the Council of the Senate.

437. Not appointed by the Crown?
No; with the exception of the Regius Professors of Modern History, Law, and Physic, I think the others are elected by the Council of the Senate, though I am not quite positive on that point. I can answer for the Professorships of Greek and of Divinity.

438. Earl of *Powis.*] And of Hebrew?
And of Hebrew; they are elected by the Council of the Senate.

439. *Chairman.*] Is there any moral philosophy in the final or preliminary examination at Cambridge?
Not at present, except for those who go out in what is called the moral science line.

440. That is not part of the ordinary studies of the University?
I may be permitted to explain that when a candidate for an ordinary degree has passed the previous examination and the general examination, the general examination taking place at the end of his second year, he then has one clear year to devote to some special line of study: theology, moral science, natural science, or law, and, satisfying the examiners in such special line, he is entitled to the ordinary B.A. degree.

441. That does not apply to those who go in for honours?
Not to those who go in for honours.

442. For those who go in for honours, are there any moral philosophy subjects?
There is a moral science tripos. It is a small tripos; few men go out on it.

443. It becomes a very insignificant part, then, of the studies of the University?
At present, but I think an increasing part; it is a new tripos.

444. Is not it the case that any regulations which the Senate might make on the subject of examination for University degrees could not affect theological questions, except so far as they were directly theological examinations; there are no subjects other than theology into which theology could be introduced, are there?
I feel that many other subjects may be treated so as either to strengthen or to weaken the students' belief in Christianity.

445. What subjects, for instance?
I should say natural science in its various branches, and moral science, too.

446. Have you ever heard of any attempts to make use of these schools for purposes of proselytism, that is to say for the purpose of influencing the theological opinions of the young men subjected to such examinations?
I am not aware of anything of the kind ever having happened in Cambridge.

447. You have not heard at Cambridge of any professor other than the Theological Professor using his chair for the purpose of inculcating peculiar theological opinions?
Perhaps I can recall one instance, but I think it is very rare.

448. Is there any Moral Philosophy Chair at Cambridge?
There is.

449. Who is the Professor of Moral Philosophy?
Professor Maurice.

450. I suppose his lectures occasionally assume a theological aspect?
I have not heard that they have done so.

451. Do the professorial lectures in the University of Cambridge constitute a large part of the studies of the place?
From the fact that in order to pass certain examinations; a man must have attended certain courses of lectures there is a great deal of compulsory attendance, but I do not think there is very much voluntary attendance on lectures.

452. They do not influence either the course of opinion or the course of study in the University to a great extent?
I should say that they do influence it, but they do not sway it much.

453. Concerning the colleges; at your college who appoints the tutor?
The master.

454. Without the concurrence of the fellows?
Quite.

455. Is not your college peculiar in that respect?
I think not.

456. I find in several of the ordinances that the master and fellows, or the master and seniors, have to appoint the tutor; that is not so at Corpus Christi?
It is not so at Corpus Christi, and I know in some of the other colleges it is not so.

457. Is the master restricted in any way in his choice of a tutor?
Not at all.

458. May he choose a man external to the college?
I think he might, but I am not aware of his ever having done so.

Rev. H. Perowne. 15th July 1870.

459. When once the tutor is chosen, has the master any jurisdiction over him?

I think, practically, the master would have this jurisdiction; he could refuse to sign admission papers.

460. That is to say, he could starve him out, but he could do nothing else?

In the case of a fellow, if there was any reason for removing him from his tutorship, it would probably be a sufficient reason for removing him from his fellowship.

461. Has the master the power, if he thinks fit, to remove him from his tutorship?

I do not know whether he has always direct power; probably it would vary in different colleges.

462. Does the master exercise any control over the character of the lectures of the tutor?

He takes a general supervision of all the lectures in the college; the whole teaching of the college is referred to the master in my own college.

463. And you, as the tutor, think yourself bound to defer to the opinions of the master as to the character of the lectures you should give?

He would hardly interfere unless some complaint reached him. I should defer to his wishes so far as all arrangements were concerned.

464. Supposing he was a Christian and you were not, what would your relations be; would he have the power of making you abstain from inculcating anti-Christian opinions?

I think he would consider himself perfectly justified in refusing to appoint, or in removing after appointment, a tutor who was not a Christian.

465. He would have the power of removal?

In my own college he would, subject to an appeal to the visitor.

466. I suppose the divergence of religious opinions at Cambridge is not very large, or does not interfere very much with the harmony of the place?

Not very much, I think.

467. Has it always ruled much lower than it does at Oxford?

I should think it has always.

468. And you have fewer of those accusations, whether just or not, against persons teaching anti-Christian opinions?

Yes, I should say certainly fewer.

469. It is therefore more difficult for you to realise what the state of a college would be if an element of profound religious discord were introduced, such a state of things not existing at present at Cambridge?

It exists, perhaps, to some extent; not in my own college, but I hear of it from others.

470. I suppose, in your colleges, as at Oxford, a tutor who wished to use his position for the purpose of proselytising, that is to say, for the propagation of unbelief, would have very large opportunities of doing so?

I hardly know; I have not contemplated the possibility.

471. It would be so far removed from anything that your experience presents to you?

I have never heard of anything like it in Cambridge.

472. Earl of *Harrowby*.] A tutor at Cambridge is less intimately connected with the undergraduates than at Oxford, is he not. Is not more of the work of education at Cambridge conducted by what are called private tutors?

I think that is less the case than it was. The college tutors come more in contact with their men, and the system of lectures has been very much enlarged of late years.

473. Who should you say had most influence over the young men's mind and character?

The college tutor, certainly.

474. At Trinity, would that be the case?
Perhaps not so much at Trinity, but in the smaller colleges the tutor is *in loco parentis.*

475. At Trinity there is very little intercourse between the young men and the tutor?
Very much less, from the size of the college.

476. Lord *Lyveden.*] I think you stated that a theological examination was necessary for a degree, whatever ever other subjects were taken up?
There are two theological subjects in the previous examination, which all men have to pass; there is one in the examination for the ordinary degree, which men who do not go out in honours have to pass; and then there is the theological line for the ordinary degree, which a very large majority of the *polloi* men go out in.

477. Did I rightly understand you to say that Jews were not exempted from that theological examination?
I have never heard of any case of exemption.

478. Then that examination is not a test of belief?
It is not regarded as such.

479. The acquisition of a degree is not impeded by disbelief?
I think not; I should regard it as a test of knowledge.

480. Duke of *Somerset.*] Assuming it to be the intention of Parliament to open the honours and emoluments of the Universities to Nonconformists and Dissenters, what suggestion have you to make to provide for the security of religious instruction within the University?
I have considered the question very anxiously, and discussed it with men of different shades of opinion, and I cannot see my way to make any suggestion.

481. If the Nonconformists are to be admitted to the Universities, you do not see any measure that could be adopted that would give that security which you would desire for religious instruction?
I know no test so simple as that provided by the Act of Uniformity.

482. Therefore, if that test is to be given up, you could not suggest any other?
I think any other test would prove quite as exclusive as that test, so far as I have been able to consider it.

483. You heard the evidence of the former witness, who proposed to divide the fellowships into some that were to be obtainable without tests, and some that were to be obtainable only on taking tests; do you believe that such a system as that would work well at Cambridge?
I think that those University fellowships, if I rightly understand the proposed scheme, would differ so entirely from the college fellowships, that they would be merely another name for endowed University lectureships, or University prizes.

484. They would amount to nothing more than endowments for University prizes?
The *sodalitium* would disappear altogether.

485. Earl of *Harrowby.*] They are only prizes now, are they not?
I have always regarded them as offices of trust; a man may regard his fellowship as a prize, but the duties of a fellow are very responsible.

486. Are they not absolved from?
In the case of my own college we can call up any fellow into residence, and require him to lecture.

487. Do you ever do so?
I was myself called up into residence under the Elizabethan Statute by the master. Now the master and the fellows have the power to call a fellow into residence.

488. You have not that large class of non-resident fellows at Cambridge that they

Rev. *E. H. Perowne.*

25th July 1870.

they have at Oxford, who hold no connection with their colleges but that of appearing twice a year?

I should say in King's College there is a large body of non-resident fellows; but in the smaller colleges I should think there was a majority of fellows always resident, though I am not quite certain on that point.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Thursday next, at One o'clock.

Die Jovis, 28° *Julii*, 1870.

LORDS PRESENT:

Lord President.	Earl Beauchamp.
Duke of Somerset.	Bishop of Gloucester and Bristol.
Duke of Marlborough.	Lord Colchester.
Marquess of Salisbury.	Lord Rosebery.
Earl of Carnarvon.	Lord Stanley of Alderley.
Earl of Powis.	Lord Lyveden.
Earl of Harrowby.	Lord Houghton.
Earl of Morley.	

THE MARQUESS OF SALISBURY, IN THE CHAIR.

The Reverend E. H. PEROWNE, is called in; and further Examined, as follows:

Rev. *E. H. Perowne.*

28th July 1870.

489. Lord *Colchester*.] I think the test at Cambridge is somewhat different from the test at Oxford, is it not. I think the test at Cambridge is as to being a *bonâ fide* member of the Church of England?

The test of admission to all University offices and to fellowships of colleges is the test in the Act of Uniformity, namely, "I will conform to the Liturgy of the Church of England as by law established."

490. Have you no test on taking the Master of Arts degree?

The Master of Arts degree is taken by two classes of candidates; those who declare that they are *bonâ fide* members of the Church of England, and those who become merely titular masters of arts, having no vote in the Senate, but at the same time taking the degree.

491. Then they would not hold any University office, I suppose?

The tenure of University office depends upon the clause in the Act of Uniformity.

492. University office as well as college office depends upon that?

Yes.

493. Then could it happen at Cambridge, as the former witness said it did at Oxford, that you could have a man who was not a *bonâ fide* member of the Church of England, but who did not object to sign the Articles, holding a professorship or a fellowship?

I conceive that either a professorship or a fellowship which was tenable by a man under the standing of master of arts, or which did not require that its occupant should have a vote in the Senate, might be held by any man who would promise to conform to the Liturgy of the Church of England as by law established.

494. Then a man at Cambridge who signed the Thirty-nine Articles, but who was not a *bonâ fide* member of the Church of England, a Scotch Presbyterian for instance, who was willing to sign the Articles, could not take the master of arts degree?

There is no signature of the Thirty-nine Articles at Cambridge at all.

495. Therefore a man who was willing to sign them, but who was not a *bonâ fide* member of the Church of England, would not be helped by it?

I think there has been a case of a gentleman holding a college fellowship without being a member of the Church of England.

 496. What

Rev. *E. H. Perowne.* 18th July 1870.

496. What test has he taken?
He has declared his readiness to conform to the Liturgy of the Church of England as by law established.

497. I think you stated that the appointment of theological professors would be most seriously incommoded by the abolition of tests?
Some new mode of appointment must certainly be devised if tests are abolished.

498. At present the theological professors are appointed by the Senate, are they not?
The Regius Professor by the Council of the Senate, which Council is elected by the resident members of the Senate.

499. They are not all required to have taken degrees in Divinity, I think you said?
I think I am right in saying that two of the Divinity Professors may be only masters of arts, and I think one, if not both, need not be in holy orders.

500. Therefore, if the tests for the Master of Arts degree was abolished, there would be no security whatever for the religious belief of those professors?
None whatever.

501. In that case it would be necessary, I suppose, to take their appointments out of the hands of the present appointing body?
I think that would be quite necessary.

502. Does that method of appointing cause much party strife at present between the two religious parties in the Senate?
I can only remember one election since I have been a member of the Council. That was an election to the Regius Professorship of Greek, and that was not a case in which religious feeling was excited.

503. The religious opinions of the Regius Professor of Greek would not excite any attention?
Not at present, except so far as it might be caused by the fact that he is *ex officio* a Canon of Ely.

504. Would the Regius Professor of Greek lecture upon any subjects such as Greek philosophy, where religious opinion could come in?
I think he would now, under the changed system of the classical tripos.

505. Would it be possible to avoid the evils which are complained of, if, without the test for the Master of Arts degree, there was a test for the higher University offices, if persons admitted to membership of the Senate could not get the higher offices of the University without a test?
That is quite conceivable. But it seems to me that there would then be the old grievance of there being certain places from which Dissenters were excluded.

506. You mean that they would accept nothing unless they had everything?
It would be a temporary measure, I conceive; it could not last.

507. Does the system of private tuition exist to any great degree at Cambridge?
To a considerable extent.

508. And no one would be likely to accept as a compromise such a system as this: that when a man held an office at the University, having the authority of an appointment, he should be subject to a test; but that when a man took pupils who voluntarily went to him without that appointment, he should not be required to take that test; do you think that that would be regarded as satisfactory?
I think it might work practically, but theoretically that is exactly the present system. Any man may take private pupils in Cambridge.

509. But he could not hold his fellowship if he did not conform to the Liturgy.?
He could not.

510. Should you say that in the Cambridge system you could draw any distinct line between what might be considered theological and what was distinctly secular instruction?
I think it would be utterly impossible.

511. You have a Professor of Modern History at Cambridge?
We have.

512. The present Professor is Professor Kingsley, I believe?
The present Professor is Professor Seeley.

513. Is Modern History a study that is much followed?
I think the lectures are well attended, because, as I explained on Monday, the examination in one secular paper has to be passed by all the candidates for the ordinary degree who go out in the theological line, and Modern History is a very attractive study, and a large number would select that course.

514. You have not a Modern History tripos, have you?
Modern History enters into the Moral Science tripos.

515. But I think you said that that was a tripos which had not many persons who aspired to it?
At present it is comparatively in its infancy, and the Natural Science tripos too.

516. I suppose you consider that it would make a very great difference whether the Professor of Modern History was a person who belonged to the Church of England, or a Roman Catholic, or a Positivist, because the views he would take of history would differ accordingly, would they not?
I should think it would make a great difference.

517. It would be scarcely possible for a man to lecture upon Modern History very extensively without any kind of religious bias?
I think so.

518. If the test were abolished, there would be nothing to prevent a man teaching from the Modern History Chair the Comptist notion as to religious belief being the infancy of thought, would there?
Nothing that I am aware of.

519. Is the classical examination at Cambridge purely formal and philological, or does it include any examination into the subject-matter of ancient authors?
May I ask whether the question applies to the honours examination?

520. I am not acquainted with the Cambridge examinations myself, but I meant as to either of the examinations; the honours examination would be the wider one, I suppose?
In the classical tripos a change has recently been made, by which the students are to be examined in the subject-matter of certain specified authors, particularly philosophical writers, as well as in philology and grammar.

521. Then I suppose, in the classical teaching as the tripos now stands, a religious element might without great difficulty arise?
I think it might.

522. I think it is not the custom, is it, at Cambridge so much as at Oxford for colleges to elect fellows from beyond their own body?
Certainly it is not so common a practice.

523. There is not much interchange between the different colleges?
In the case of my own college, three out of the present 12 fellows were elected from other colleges.

524. I suppose the result is, that there is a much more distinct and separate tone of thought and opinion in colleges than would be likely to exist under a more open system?
I can hardly answer that question. Of course from the fact of the men being thrown so much together, there is a certain harmony of thought, particularly in the small colleges.

525. There are not many men who have been brought up under the influences of a different college?
Comparatively few.

Rev. *E. H. Perowne.* 28th July 1870.

526. Then do you suppose that if the system of tests was entirely done away with, you would be likely to get a very marked sectarian tone in particular colleges?

I think one result would be that, supposing the present system of co-opting fellows to be continued, religious bias and party feeling would enter into the election of fellows in a way which is almost unknown at the present time.

527. I do not know whether under the Cambridge Ordinance you are bound at all strictly to follow the results of a competitive examination in electing fellows?

By the Statutes of my own college, which I have with me, we are required to elect "*simpliciter meliores.*" I am alluding to the revised Statutes which received the Royal sanction in 1861; the only word which applies to intellectual distinction alone is "*graduatos.*"

528. Then "*meliores,*" I suppose, is understood to mean the best in every point of view, morally, intellectually, and otherwise?

Certain moral qualifications are specified to which it would apply.

529. Supposing it were a mere educational question, and there were no moral disqualification, do you consider that you would be bound to take the best man in the examination?

I should, if there were no moral or religious disqualification.

530. Do you think, under the system of the abolition of tests, the question as to the religious opinions would have a great effect upon the election?

I think it must come in directly.

531. I suppose at Cambridge, as well as elsewhere, those who advocate the abolition of tests rest a great deal upon the argument that the Universities are national institutions?

I think that argument is heard a good deal in Cambridge.

532. Would it not be correct to say that there are two parties with regard to education in the country; those who desire a religious system, and those who do not desire a religious system?

I think so.

533. If the Universities are treated as national property, I suppose each part of the nation has a right to consider that it may be admitted to a share in them?

I think, so far as I have observed, that that law does not apply to other educational establishments.

534. I am not stating an opinion of my own. I am taking, for a moment, the point of view of those who say that the Universities ought to be treated as national property. I suppose, on that supposition, each part of the nation has a right to share in them?

I think not, any more than in Maynooth, which is supported by national funds.

535. Taking the point of view of the objectors, they claim more than a portion of the University, do they not?

They virtually claim the whole for irreligion.

536. Do you consider that the plan suggested by the last witness would at all meet that difficulty?

I think it would seriously injure the existing colleges without satisfying the reasonable wishes of those who are outside the Church of England.

537. Do you think that having a number of colleges with tests, and a number of colleges without tests, would introduce a disturbing element?

Yes. As all Dissenting colleges have tests, the Dissenters seem to me to recognise the necessity of tests.

538. Do you consider that the number of persons who would be admitted then, but who are at present excluded, would be very large?

My own experience would be quite the other way. I have never refused, as tutor, to admit any Dissenter on the ground of his being a Dissenter.

539. I meant rather the number that would be admitted to degrees and to fellowships?

I think the number admitted to fellowships would be very inconsiderable.

540. Do you consider that those would be persons who were Dissenters, or persons who may be said to be outside the pale of definite religious opinion?
I only know of three Dissenters who have taken high degrees who have been excluded from fellowships.

541. There has never been any exclusion since the Commission from the Bachelor of Arts degree, has there?
None at Cambridge.

542. Has there from any of the emoluments held by undergraduates?
All prizes, and all scholarships, both in the University and colleges, are open to undergraduates, irrespective of their religious creed.

543. Do you suppose that it often happens that persons who came up originally as Churchmen are likely to have modified their opinions before they come up for the Master of Arts degree?
No. I would correct my last answer so far as to except the Bell Scholarships for the sons or orphans of clergymen.

544. Are those who hold those scholarships required to be Churchmen themselves?
No, they are not required to be so, but probably they would be.

545. Even in that case, then, there is no religious restriction imposed?
No, not necessarily.

546. Therefore, no one can be considered as excluded from a University education by existing tests unless he desired it simply for the purpose of attaining a fellowship?
I think not.

547. Earl *Beauchamp.*] You said just now that all prizes and scholarships were open to undergraduates without distinction, except in the case of the Bell Scholarships. The restrictions imposed by tests are only imposed when the candidate seeks a place of trust and duty, that is to say, a fellowship as distinguished from a mere place of honour and emolument; is not that so?
Yes, quite so.

548. Should you be averse from any extension of the principle which should furnish further places of honour and further prizes, which should be open without any distinction as to tests, provided that can be done without attaching to those prizes posts of duty and responsibility?
I think it would be most desirable if it could be done, but, practically, I fear it would be regarded only as a temporary measure.

549. I ask your own opinion as to the advisability of such a thing in itself, without having regard to its ultimate consequences. Supposing that such a system could be established on a sure foundation without entailing further changes, you would have no objection to it; in fact, you would rather prefer such a system, would you not?
Yes, I should.

550. I understood you to say just now, that all Dissenting colleges had tests?
Yes, so far as I am aware, they have. I have the reports of four or five Dissenting colleges with me.

551. Can you state to which colleges your observation applies?
Perhaps I may be allowed to refer to the documents. This is the report of the Baptist College at Regent's Park (*producing the same*); I find that that is not exclusively a theological college; they have students of three classes: those who study theology only; those who intend to study theology and take, in the first instance, a course of preliminary education; and lay students. The test *in limine* is, that the candidate is required "to apply to the committee by letter briefly stating in his own words the means of his conversion, and his views of the leading Articles of Christianity." We have no such tests as that.

552. So that as regards that college which you have referred to, no candidate is allowed to compete for the education, much less for any post of honour,

Rev. *E. H. Perowne.*

28th July 1876.

in that college, unless he had signed a test which is satisfactory to the authorities?

It would seem so.

553. Can you mention any other place of the same kind?

The other colleges seem to be theological; that is to say, for candidates for the ministry; I could not specify any other case like this.

554. To take up another statement you made in answer to the noble Lord who examined you last; you stated that according to the statutes of your own college you were bound to elect those who were "*meliores*." Is the college defined in your ordinance as a "place of religion and learning" as well as "of education": in reference to what subjects are your candidates required to be "*meliores*"?

The qualifications are those whom the fellows know to be "*honestos, castos, humiles, pacificos et modestos.*"

555. Then in the rules which govern your elections at Corpus Christi College at Cambridge, you have not anything similar to that with which Oxford men are familiar, with regard to those who would be considered "*habiles*" as fellows of the college as a "place of religion and learning?"

Not in the Statute "*De Qualitatibus eligendorum in Socios.*"

556. That would not come into the definition of the qualifications of the fellows?

No.

557. Can you state what is the opinion of the residents at Cambridge in reference to the Bill which has been before Parliament this Session; is it favourable or unfavourable?

I think that a decided majority of the residents would be totally opposed to the Bill; I think that a very influential minority are in favour of a relaxation of the tests, and there may be some who are in favour of their entire abolition.

558. Of what relaxation would the minority be in favour?

I am hardly prepared to say; probably they would not be agreed; they would feel that it was desirable to comprehend more without perhaps stating in what way.

559. You will be good enough just to cast your eye through the preamble of the Bill; you will see that it is stated that it is desirable to proceed with legislation "under proper safeguards for the maintenance of religious instruction and worship in the said Universities, and the colleges and halls now subsisting within the same." I apprehend that if you could be satisfied that there were proper safeguards for religious instruction and worship, the opinion of the majority in Cambridge would not be adverse to some relaxation of the present system of University tests?

I think we require a further safeguard.

560. The expression there is "*proper* safeguards"?

It is not merely a question of religious instruction and worship, but we do want as far as possible to exclude religious controversy.

561. Assuming that the objects of the Bill are as described in the preamble, to provide "proper safeguards for the maintenance of religious instruction and worship," do you find in the Bill anything which you would conceive to correspond with the description there given?

So far as I understand the Bill, it seems to me to provide no safeguards whatever.

562. You consider that the safeguards provided under Clause 4 are quite illusory?

I think it could not be carried out at all.

563. Do you think Clause 4 is worth the paper it is written on?

I should say, certainly not.

564. Clause 4 merely says, that nothing in this Act contained shall do more than the Act provides that it shall do; did you ever know an Act of Parliament that did more than it provided it should do?

I am not aware of it.

565. Theological studies form a much more definite part of the Cambridge system of edudation than they do at Oxford; the voluntary theological examination is practically attended by candidates for holy orders, is it not?
Yes, with very rare exceptions.

566. The consequence of that is that you have many gentlemen intending to enter holy orders who pursue their studies at Cambridge, have you not?
Yes, a very large number.

567. Is it your opinion, that if such a relaxation of the University tests as is sketched out in this Bill were to become part of the University system, those studies for holy orders would be pursued at Cambridge?
I fear that many candidates for orders who now come to Cambridge would be content, or their parents would be content, with their going to theological colleges.

568. Instead of going to the University?
Yes.

569. Do you regard it as important that those who are being educated for clergymen should receive their education in common with those who are destined for other avocations in life?
Certainly; I think that is one of the most valuable parts of our system.

570. Do you think that one great cause of the influence which the clergy of the Church of England exercise in society is owing to their having been educated with men who were preparing for other professions?
I do.

571. And you would look upon it as a national calamity if any change were made which would materially alter that existing system?
Yes, most decidedly.

572. Both in its effect upon the Church and upon the nation?
Both in its effect upon the Church and upon the nation.

573. Can you give us any information with regard to the date of the various endowments at Cambridge; there are a large body of post-Reformation endowments; Emmanuel, I think, is a post-Reformation endowment?
Emmanuel College, Sidney College, and Downing College come within that description.

574. Downing College dates from the present century, does it not?
From the commencement of the present century.

575. Is there any reason why a system of relaxation of tests should be applied to those colleges which you have just mentioned, and should not be equally applied to the Baptist College, and other similar institutions to which you have referred?
I can myself see no reason why they should not be treated in the same way.

576. You think that if educational institutions of the date of Downing College are secularised in consequence of what you may almost call an accidental connection with a national University, there is no reason why colleges which are connected with the London University should not be subjected to a similar relaxation of tests?
I think in fairness they ought to be treated alike. I am bound in fairness to say that I can understand a reason for the attempt to treat them differently. The social advantages which a college at Cambridge or Oxford possesses are naturally objects of envy.

577. That is assuming that a fellowship is merely a place of social distinction, and not a place with trust and responsibility attached to it?
Yes.

578. But if that assumption is incorrect the inference falls?
Yes.

579. I presume that you are of opinion that it is right that an incumbent of the Church of England should teach the doctrines of the church to which he belongs?
Certainly.

Rev. E. H. Perowne.

28th July 1870.

580. Do you see any distinction which can be drawn between the position of a college in reference to the undergraduates who belong to that college, and the position of a parochial clergyman in relation to his parishioners as regards religious teaching?

Only that the students who are intrusted to a college are at a time of life when they need more special safeguards, and when really there is no sanction but a religious sanction which is valuable or efficient.

581. But the relations between young men and their tutors are more close than those which exist between a parochial clergyman and his parishioners, are they not?

In the smaller colleges, certainly, they are very much closer.

582. Then is there any argument which applies to the propriety of the imposition of tests for a parochial clergyman which does not apply with equal, if not greater, force to the requirements of tests as some guarantee of religious teaching at the University on the part of the head and fellows of a college?

None whatever; the same argument would apply, perhaps even more strongly, to the colleges.

583. That question is quite apart from the position of the University as a place of examination?

I cannot regard a University only as a place of examination.

584. Can you imagine any place of education satisfactorily carried on where religious teaching was ignored?

For myself, I certainly could not.

585. Do you know of any place where education is satisfactorily carried on and religious teaching ignored?

I do not know enough of the working of University College, London, to be able to say; but it is the only place which I can conceive of, or have ever heard of, where religion would be ignored.

586. By University College, London, you do not mean the London University?

Not the London University; but I believe there is a college called University College.

587. Earl of *Harrowby*.] But that is only for lectures; there is no boarding there?

I was speaking with great hesitation, and really in ignorance of the circumstances of that college.

588. I think it is an assemblage of lecturers, but the students lodge where they please; they are under no domestic control at all?

Then I may say I am not aware of any such college as I was asked about.

589. Earl *Beauchamp*.] You draw a distinction between a place of education and a place of instruction, do you not?

Yes, a very strong distinction.

590. Because a place of instruction is a place where lectures are given merely with reference to special subjects?

Yes.

591. A place of education, on the other hand, is a place where the whole faculties, moral and intellectual, have to be cultivated?

Yes.

592. Any argument, therefore, which is drawn from the London University and applied to the Universities of Oxford, Cambridge, Dublin, and Durham, wholly falls to the ground, for the latter are places of education, not places of instruction?

Quite so.

593. May I put it in this way; you would look upon intellectual ability, apart from or hostile to religion, as a thing to be guarded against, rather than a thing to be encouraged?

Quite so.

594. What

Rev. *E. H. Perowne.* 28th July 1870.

594. What guarantee have you in your own college for the maintenance of clerical fellowships; how many clerical fellowships are there?
The college, as remodelled in Queen Elizabeth's time, was a clerical foundation; all the fellows were required to take holy orders within three years from their admission; but at the last change, in 1861, four of the fellowships were made tenable by laymen for life.

595. Out of how many?
Twelve; one-third are tenable by laymen for life.

596. Is that the usual proportion at Cambridge?
I think not; in St. John's and Emmanuel I think the clerical restriction is maintained almost intact.

597. In King's College?
I am not able to say as to King's: it differs in different colleges.

598. What powers have you for making any further change in your statutes as regards that point of clerical fellowships?
I think that by the last Act of Parliament affecting the University, upon an application made by the master and the fellows to the Queen in Council, any alteration approved of by Her Majesty in Council may be introduced without fresh legislation by Parliament.

599. So that in the event of any change of opinion amongst the master and fellows for the time being, by the consent of the Queen in Council the number of clerical fellowships might be materially altered?
It might.

600. Then you have no real guarantee for the continuance of the existing number of clerical fellowships?
None but that.

601. May I ask whether, in your own college, the fellows are mainly resident and engaged in educational work?
It varies from time to time. At the present time 10 out of 12 are resident.

602. The others have been recently elected, I presume?
Of the two who are non-resident one has just gone out of residence, and the other has been three or four years out of residence.

603. Therefore the question I was going to put hardly applies to your own college; but should you see any objection, in the large colleges like King's, with limited educational work for a large number of fellows, that the governors of the college should be restricted to a smaller number of fellows who should be members of the Church of England, while the remaining number of fellowships should be thrown open and treated as places of honour and emolument rather than as places of duty and trust for education?
I know a good deal of King's College, but it is very difficult to say. I should hardly feel justified in expressing an opinion in regard to such grave changes in so large and magnificent a foundation, as I am not conversant with the actual inner life of the college.

604. Still, we may take it from you, that in the small colleges you require all your fellows for the purposes of an educational staff, whereas in the case of a college like King's there are a large number of fellows whom we may consider as ornamental appendages to the University?
I think, in a small college like my own, we have only perhaps half the fellows actually engaged in the work of the college, but we have a reserve.

605. Who are in training?
Who are in training or doing important work for the Church and the nation, which they could not do if they had not these fellowships.

606. But then as regards the larger colleges, such a college, for instance, as King's, there must necessarily be a number of fellows who will not find any work of the kind sketched out by you ready to their hands when resident in Cambridge?
Perhaps it is only right to say that King's College has recently been extended so as to embrace students who have not been educated at Eton, and I think

Rev. *E. H. Perowne.* 28th July 1870.

there is a prospect of King's College extending very largely. It might be that a change of the kind which has been suggested might just stop the work which in the course of a few years King's may be doing.

607. But looking at the amount of accommodation afforded by the buildings of King's College, the more undergraduates you bring up into residence, the more fellows you drive away, do you not?

We have so many students in lodgings, that we can always meet that difficulty.

608. Lord *Rosebery.*] I understand you to consider Oxford, Cambridge, Dublin, and Durham to be national institutions?

They are considered so.

609. You do not hold that opinion yourself?

I should not like to say so, unless I were allowed to explain what I meant by the word "national."

610. Will you, in that case, explain it?

They are national in the sense in which the Church is a national Church; they are not national in the sense of receiving anything, so far as I know, from the nation, or from any person or corporation which is not connected with the Church of England.

611. You are aware of the enormous proportion of the English nation who are not members of the Church of England?

I am.

612. Under those circumstances, would you wish that part of the nation who are not members of the Church of England to depend merely upon Maynooth, and the Baptist College at Regent's Park, and similar institutions, as an equivalent for the education, the honours, and the emoluments of Oxford and Cambridge?

I should be very glad if they could be brought under the same influences as members of the Church of England, without sacrificing all that makes the old Universities what they are.

613. You think, then, that if they were admitted to these positions in the University, the Church of England would not be able to hold her own?

I think that the cause of religion and the cause of education would suffer by the passing of the Bill in its present form.

614. With reference to the Modern History professorship, you regard it as of essential importance that the Professor of Modern History should be a member of the Church of England?

I think that it is very desirable that he should.

615. I suppose he lectures upon Gibbon?

The Modern History Professor, I think, would commence his course at a later point than where Gibbon leaves off.

616. He would not take the later volumes of Gibbon as belonging to his province?

I should hardly think he would, but I think his lectures have commenced at a much later period of history.

617. Earl of *Powis.*] In the schedule attached to this Bill it is proposed to repeal the 17th section of the Act of Uniformity, which provides that no form of worship other than the book of Common Prayer "shall be openly used in any church or chapel, or other public place of or in any college or hall in either of the Universities;" if that provision were repealed, would there be any hindrance to the college chapels being applied to the service of any other religious body than the Church of England?

I am not aware of anything to prevent it.

618. Are the chapels, at all events of the more modern colleges, consecrated buildings?

I think not. I speak with some hesitation; indeed, I imagine that it would be the exception rather than the rule for them to be so.

619. Would

619. Would the introduction into any of those non-consecrated chapels of other forms of worship be a very great change in the religious system of the place?
I think it would be quite fatal to the religion of the place.

620. The schedule also proposes to repeal that section of the 31st of George the Third, chapter 32, which prevents Roman Catholics from holding masterships of colleges; if that section were repealed, are you aware of any other hindrance to a Roman Catholic holding the office of master of a college?
Nothing but such as may be contained in the statutes of the college. The statutes of my own college, for example, would prevent it.

621. Those statutes being alterable by the governing body, with the consent of the Queen in Council, as you have previously stated?
Yes.

622. Referring to the interpretation clause, and the definition of the word "office" contained in it, would not the word "office," which is to be open to persons of any religious persuasion, include the chaplaincies of colleges, such as there are at Trinity, and the equivalent office styled "conducts" at King's?
I apprehend it would.

623. Is it not further apprehended, that as a Roman Catholic priest is not a layman, he would become eligible to offices now restricted to persons in holy orders?
I think that was provided against in the revision of the statutes of my own college. I do not know about other colleges. The words "*Ecclesiæ Anglicanæ*" are introduced once and again in our statutes, which, of course, would limit it.

624. Do you consider that it is more especially necessary for the head of a college to be a member of the Church of England, even than for the fellows to be so?
I think it is more necessary; first, because the Vice Chancellor of the University, who is the head of the whole body, must be a head of a house. He is present whenever a sermon is preached before the University, and thus it would lead to very great evils if heads of houses were not members of the Church of England. Again, in the college the master is the head of the whole society both as regards the discipline and the instruction.

625. Does not the discipline of the college, with regard to religious matters, come under the master's notice specially through the dean or the other officer who looks after the religious discipline and attendance?
I think in most colleges all the returns of attendance at chapel, and the hours at which the undergraduates come into the college, and everything of that kind, are made to the master as well as to the dean; and, except in the case of minor offences, the master would really exercise the discipline.

626. Do you think that the religious worship of the colleges could be carried on at all in the same manner as it is now, in cases where the head was of another communion?
I conceive that it would be fatal to the life of the college, as we understand it, if it were so.

627. Are not the Hebrew and Greek Regius professors elected by the Council of the Senate in the same way as the Regius professor of Divinity?
They are.

628. Is not a canonry of Ely attached to the Hebrew Professorship, and another canonry of Ely to the Greek Professorship?
Yes.

629. Do you think it would be satisfactory to the Church of England at large, or to the cathedral body and diocese of Ely, that two such dignified offices as canonries should be appointed to by persons not belonging to the Church of England?
I imagine that it would be impossible for those professors to perform their duties as canons if they were not members of the Church of England.

 630. Then,

Rev. *E. H. Perowne.* 28th July 1870.

630. Then, again, is not the Norrisian Professor of Divinity elected by the heads of houses?
At present, I think he is.

631. Would some fresh arrangement be necessary with regard also to the Board of Theological Studies, which is now appointed by the Council of the Senate, supposing this Bill were passed?
The Board of Theological Studies consists of the four Professors of Divinity, the Professors of Greek and Hebrew, and a number of members of the Senate who are nominated by the Council and elected by the Senate.

632. Under this Bill there would be no restriction to keep the appointment of the theological studies board in the hands of members of the Church of England, would there?
None whatever.

633. Would a difficulty also arise in regard to the Hulsean Professorship of Divinity, three of the electors to that professorship being the Vice Chancellor, the Master of Trinity, and the Master of St. John's, if those offices were not held by members of the Church of England?
There would be a similar difficulty in that case.

634. With regard to the Vice Chancellor, is he not practically, if not of necessity, always a head of a house?
By statute he is a head of a house.

635. Does he not appoint absolutely the Lady Margaret's preacher?
He does.

636. And does he not also appoint University preachers on certain specific occasions?
He does.

637. Is he not also an elector for the following prizes connected with religious study—the Norrisian prize, the Hulsean prize, Sir Peregrine Maitland's prize, the Burney prize, the Carus Greek Testament prize, the Crosse Theological scholarships, and the Kaye prize?
I believe he is for all.

638. Would it be desirable that an influential elector for all these prizes should be of a different communion from that of the Church of England?
I should think it would be very disastrous.

639. Can you imagine that such a state of things was anticipated by the founders of these prizes?
I should think not.

640. You were asked some questions as to tutors being external to the colleges; I believe, in your college and in some other of the smaller colleges at Cambridge, it has been occasionally the habit to take lecturers from other colleges?
Occasionally.

641. Those persons have been not members of the governing body of the colleges, but taken for a time?
Simply taken for a time.

642. The tutor who has charge of the discipline, and who has the responsibility for the young men, is always a member of the college itself, is he not?
Almost always; I have only known one exception, and that was only for a very short time.

643. In the case where your college has elected fellows from other colleges, has that been with the view to the fellows so elected performing some specific duty, or having some specific qualification?
It has been in consequence of a change in our statutes, by which we were required to fill up a vacant fellowship within a very short time, and not having a man of our own who was perhaps good enough to appoint to a lectureship, we elected from another college a man with a higher degree.

644. Except for some specific object of that sort, it has not been the habit of colleges at Cambridge to travel out of the members on their own books in electing fellows generally, has it?

I think

I think the practice has become a little less rare now, but it was very rarely done 20 years ago.

645. You were asked some questions as to the comparative influence of college and private tutors over the young men; is it not a very frequent thing for young men to take one person as a private tutor for one half year, and another person for another half year, according to the particular course of reading they wish to study at the moment?

Quite common.

646. Do you consider that in ordinary cases the pupil is attached to his private tutor during the whole of his academical career?

That sometimes happens, but I should think rarely.

647. Do you consider that the private tutor merely exercises an intellectual influence over the pupil and not a disciplinary one?

I do.

648. With regard to the number of clerical fellowships in the different colleges, are not a varying proportion of the fellows required to take orders within a certain number of years of their admission, or of their obtaining the standing of master of arts?

That is the rule in many colleges.

649. Supposing the existing tests to be abolished in the complete manner provided by this Bill, what should you say would be the direct effect upon the University as regards discipline?

The court by which all offenders *in statu pupillari* against University statutes are tried consists of the Vice Chancellor and the heads of houses, and I think, from my experience of the University, that it might lead to very grave difficulties if that court were composed of men of different religious creeds, owing to the heads of houses in some cases ceasing to be members of the Church of England, and being, it may be, men of no religious profession whatever; then with regard to offences committed by members of the Senate, they are tried by a court called the *Sex Viri*, consisting of the Vice Chancellor and six persons elected by the Senate; amongst the provisions in the statutes of the University there is one that no man is to impugn the doctrines of the Church of England in the University pulpit. I conceive that an offence against that statute would be tried by the Vice Chancellor and the *Sex Viri*, and it is conceivable that if this Bill were passed, the majority of the Court might not be members of the Church of England at all. I think that there would be a very great inconsistency in such a cause being heard before such a tribunal.

650. As regards the difficulties which would be imposed upon religious teaching, have you anything to add to what you have already stated?

I will take the case of a professor who should attack revelation; it is quite conceivable that a man teaching a subject like Geology might request his class to dismiss from their minds *in limine* all belief in revelation; a man who should teach so now would by his palpable inconsistency lose influence; but if all University tests are abolished, I can conceive that such a man would have the authority of the University and of Parliament at his back, and that the effect would be that a great many parents would not send their sons to the University.

651. Do you consider that such a change in the officers of the University would involve very great changes in the tone and conduct of the University?

I feel that it would be inevitable.

652. Does the University of Cambridge now receive any aid from the State?

I am not aware that it receives any, except there may be some part of the Professor of Modern History's stipend paid by the State; I am not certain as to that.

653. Until within the last few years, on the other hand, did not the University contribute to the revenue of the State by the tax on its degrees?

For a very long time the University of Cambridge paid, on the average, more than 3,000 *l.* a year to the Government, receiving about 1,000 *l.* to make up the stipends of certain professors.

 654. When

Rev. *E. H. Perowne.* 28th July 1870.

654. When that tax was abolished, was not it on condition that the University took upon itself the burden of paying those professors?
It was.

655. As it regards this question of religious tests, do you consider that the University is merely an examining body through its officers?
I should say it is very far from that.

656. Do you consider the functions of the University in maintaining discipline amongst the residents, in addition to the functions of the colleges, very important?
Very important.

657. And extensive?
And extensive.

658. How would the removal of tests affect the societies of the smaller colleges, where the number of fellows may vary from six to 12?
I think that the immediate result would be that the offices of influence and emolument, being objects of ambition, of course, to all the fellows, must in turn be opened to persons, irrespective of religious belief. It would not be merely the fellowships but it would be the tutorships and the office of dean, which would pass out of the hands of the members of the Church of England.

659. The office of Dean at Cambridge is equivalent to that at Oxford entitled Censor, is it not?
Very much, I believe; but with the addition of the charge of the service in chapel and the attendance of the students at it?

660. Do the tests deprive the colleges of the services of a large number of men at present?
I have never known an instance in my own college, and those which I have heard of during the time I have been resident, I think, amount to only three or four.

661. Supposing the governing bodies of the colleges ceased to be members of the Church of England, would that affect the present arrangements by which the bishops receive testimonials of good conduct from them as to their members who are candidates for holy orders?
I should think it would be utterly impossible for the bishops to accept a testimonial of a man's fitness for holy orders from a body which was composed of both members of the Church of England and non-members.

662. Would that have a tendency to drive candidates for holy orders away from the Universities?
I think it would have that tendency; and also the bishops would not have the safeguards which they now have in admitting University men to orders.

663. Are there not a large number of persons who are candidates for holy orders whose means would not allow them to come up to Cambridge if they were obliged to consume a further time afterwards in residence at some theological college?
Undoubtedly.

664. In that case, would not the disposition rather be to go straight to the theological college and avoid the University?
I fear it would.

665. Would such a removal of a further portion of the clergy from University teaching be advantageous or prejudicial to the Church?
I should think it would be very prejudicial.

666. Have any religious difficulties occurred within your experience as regards the compelling of students to attend chapel?
I have never met with any difficulty when I was Dean myself, or heard of it in the college.

667. Did I rightly understand you to say that some of those who had been undergraduates at your college were distinctly not members of the Church of England?
I have admitted a great many who were Dissenters.

Rev. *E. H. Perowne.*

28th July 1870.

668. To what do you attribute the comparative freedom of Cambridge from strong religious partisanship or extreme religious movement?
I think it is partly owing to the sound intellectual training of our men, and partly to the fact that we regard religious questions within certain limits as settled questions and not moot questions.

669. Do you consider that some further safeguards for the maintenance of religious instruction and worship in the University and in its colleges are required than are given in the Bill under our consideration?
I fail to see any real and sufficient safeguard contained in the provisions of the Bill as it stands for the maintenance of religious instruction and worship.

670. Earl of *Carnarvon.*] I think you stated that in Cambridge this Bill probably was in opposition to the sense of the majority of the residents, but that it would be supported by a minority who would be in favour of some relaxation, and by a very small minority indeed who would be in favour of a total abolition of tests?
That is my impression.

671. Amongst those who are opposed to the Bill, I suppose you would number the names of a great many who are extremely eminent in science and learning in all its branches?
I certainly should.

672. The opponents of this Bill, if I may say so without any invidiousness, would not contrast unfavourably in respect of scientific and learned attainments with any other class who might be in favour of it?
I should think not at all unfavourably.

673. You are aware that the Bill differs from previous Bills in being compulsory in its enactments?
I am.

674. Is that, in your opinion, an objection to it?
I think that whatever change is introduced should be introduced by Act of Parliament.

675. My question was rather directed to this: is it, in your opinion, preferable to make it compulsory as it is now proposed, or to leave it to the discretion of the different colleges to say in what manner and under what conditions they would admit Dissenters to the government of the different colleges?
I confess I should prefer it to be compulsory. Much as I dislike a compulsory measure, I think it would not be fair to leave to the men, the young men it may be, who happened to be the fellows of the day, the power of cutting off the entail.

676. Do you look upon this as exclusively a Dissenters' question?
Certainly not.

677. If it were exclusively a Dissenters' question, would you prefer that it should be left to the discretion of the colleges to say under what terms and conditions they would be prepared to admit Dissenters to offices within the college?
I do not think that that would affect my opinion at all.

678. You said, I think, just now that you did not look upon it as a Dissenters' question exclusively?
Not exclusively, certainly.

679. When, therefore, a noble Lord asked you just now whether, in a national point of view, it was fair to retain the Universities as they are at present, and to leave as a set-off Maynooth and the Dissenting College near London, would you look upon that as a fair way of stating the proposition; are those, in fact, the only two colleges, or the only two places, which are now open to Dissenters from the Established Church?
I saw the night before last that the House of Commons had voted 16,700 *l.* to the London University, and 20,000 *l.* to the University of Glasgow. We have no such grants.

Rev. *E. H. Perowne.* 28th July 1870.

680. I think you told us the other day that the master of your own college appoints, and is competent, if he pleases, to remove a tutor?
Yes.

681. You are aware that in the Bill as originally introduced into the House of Commons, there was a provision that nothing in the Act should apply to the headship of any college?
I am.

682. That provision is omitted in the Bill as it now stands?
I understand so.

683. Would you look upon that as a loss?
Yes; I should look upon it as a very great and serious loss.

684. Could you state to the Committee in what way you apprehend that that loss would be felt?
I think that the head of a religious house (and my own college, and many of the other colleges are essentially religious houses) ought to be a member of the Church of England. In our old statutes in many cases he was called "*sacerdos.*"

685. I rather meant what might be the practical working of the Bill as it now stands, with that safeguard, as it was supposed to be, omitted?
I think that many of the evils of which I have spoken would result. First of all, the master's signature to the testimonials for holy orders would be worthless if he were not a member of the Church of England. At present, whenever the master is in holy orders, he celebrates the Holy Communion; he is the head of the religious life of the college; and perhaps it is more easy to feel than to describe how important it is that that should be retained.

686. Therefore, I understand he exercises a general indirect influence over what you term the religious life of the college?
He does.

687. And in the event of such a contingency happening as was contemplated the other day, of there being a very anti-Christian tutor, he retains a direct control, and the power of intervention?
He has a direct control in most colleges, I believe; certainly in my own.

688. Therefore you would regret the loss of that provision?
Yes; I think it would be a most serious evil if it were removed.

689. I understood you to say, when you were examined on Monday, that the theological instruction in the University of Cambridge formed a distinct and marked part of the general curriculum?
A very important part; and distinct so far as regards having a course of theological studies; but at the same time entering very much into the whole system of instruction of the place.

690. Would the abolition of these tests involve, possibly at no distant day, a consequent change in that curriculum?
I think it must; all the theological studies being altered, I think the course of study must be altered too.

691. It would be almost a necessary inference, would it not?
I think so.

692. I imagine also from your general evidence, that you apprehend that the abolition of these tests would produce an evil effect upon what you may call the general religious influences of the University?
I think so.

693. Have you ever considered in what way different religious denominations other than the Church of England might possibly take advantage of the provisions of such an Act as this, if passed?
It is difficult to predict how they would avail themselves of the provisions of the Act, whether by singling out a particular college and obtaining a very strong footing there, or in what other way.

694. Clearly

694. Clearly it would be quite within the range of possibility, if not probability, that when this Bill had become law, the majority of the fellows might practically denominationalise a college as they pleased?
I think that would be the most probable result.

695. Would it not be even a likely result where the college was small and where, consequently, the number of fellows was small?
I think for their own peace and comfort's sake, they would try to denominationalise a college.

696. The result, of course, would be that, assuming there to be, for example, a majority of Roman Catholic fellows, a college or two colleges in the University might become purely Roman Catholic in all their influences, and in all their teaching?
I think it is not at all improbable that that result would follow in process of time.

697. Would it not even be probable that it would follow, inasmuch as the result would be so easily attainable under certain conditions?
I think it more likely that the small colleges would fall into the hands of different sects of Protestant Dissenters, from an objection which the Roman Catholics might have to bringing their students into close contact with others, from the fact that they are necessarily, from the nature of the case, more exclusive.

698. But supposing the Roman Catholics were disposed to create centres of religious collegiate life for themselves, it would be perfectly open to them to do so under the conditions that I have described, would it not?
I imagine that it would be quite open to them to do so.

699. You were asked a question just now with regard to the college chapels; in such a case, of course, Mass would in consequence be said in those college chapels?
It would.

700. Is that a change which you think would be very generally expected by the country as the result of this Bill?
I do not think that the country is at all aware of what would follow if this Bill was passed into law.

701. And the parents, of course, who send their sons to Cambridge would be equally unprepared for such a result?
Yes.

702. *Bishop of Gloucester and Bristol.*] I will turn your attention to the safeguards which it is the object of this Committee to inquire into; we have to see if any safeguards can be interposed, so that while religious tests are done away with, religious instruction and worship can be still conserved. You would probably agree with me in drawing a distinction between the safeguards we might attempt to interpose in reference to the University and in reference to the colleges?
Yes, I should.

703. Let us deal with the University. Do you think that any safeguards could be introduced in reference to our professorships at Cambridge? Let me begin with the Regius Professorship of Divinity. We know that the Council elects, and we know also that the person elected must be, a clergyman and in holy orders, as being, I think, of the degree, at least, of Bachelor of Divinity: could you suggest any safeguard that could be interposed, so that the Council might be precluded from electing a clergyman of what would be called unduly liberal opinions?
It is very difficult to see any safeguard for retaining the head of the Divinity faculty in connection with the Church of England, except by some distinctly Church test, such as that supplied by the Act of Uniformity.

704. I was not unprepared for that answer. Now, to come to two other professors: the Norrisian Professor of Divinity, as we know, is elected by the heads of houses; I think eleven at least must be present at an election. If the measure we are considering passed, these might be of any or no denomination.

Rev. *E. H. Perowne.* 28th July 1870.

Could you suggest any safeguard by which we might provide that the Norrisian Professor should be elected by persons in whom the country would have proper confidence?

I think the safeguard must be applied to the candidate for the office as well as to the electors.

705. Do you think that any declaration on the part of the electors would or would not be desirable?

I think, from what I know of the feeling in the University, that the electors would find it very difficult to resist local pressure in favour of a man of acknowledged attainments, who nevertheless might be outside the pale of the National Church.

706. So that you would fear, in case the measure passed as it is now proposed, that there might be possible danger that a Norrisian Professor of Divinity might be one in whom the Church at large would not place full confidence?

I think there would be a great danger of that.

707. I will not take up your time, or that of the Committee, by entering in detail into the question with respect to the Hulsean Professorship; but I will only assume that the remarks you have made in regard to the Norrisian Professorship would also apply to the Hulsean as regards its being possible for the electors to be of any or no denomination?

Yes; my remarks would apply to that professorship also.

708. So that two professorships might in some degree, to use a simple phrase, be endangered as regards their effect upon the teaching of the young men, and upon the country generally, if this measure passes as it stands?

I fear that they would.

709. Could you offer any suggestion as to the mode of electing members to the Board of Theological Studies, which might impose some safeguards?

Since Monday I have thought a great deal upon that point, and I feel that I am quite unable to make any suggestion with respect to it.

710. To pass now from the University to the colleges, with respect to which, perhaps, safeguards may be introduced more successfully, we will shortly notice chapels. You retain the opinion, I suppose, which you have more than once expressed, that there should be the Church of England service in the college chapels?

I think that that is most important.

711. Would you admit a shortened form of service, provided the service was taken from the Prayer Book?

I should see no objection to that, though I do not feel it to be desirable.

712. Assuming that it was thought desirable, by what authority would such a change be made; who would be the officers of the college (take your own, for example) who would authorise such a change?

I am speaking now with a little hesitation; but I believe that some years ago a shortened service was used in several college chapels.

713. I wanted to ascertain, if you could kindly mention them, the authorities who would bring about this change, because after you will have specified those authorities, it will be clear that there are persons to whom attention must be directed?

Assuming that the Act of Uniformity is abolished, it would then be open to the master and fellows, the governing body of a college, to make any regulations consistent with the Act of Parliament as it would then be.

714. But that is not quite my question; let us suppose that next October term it should be thought desirable in your own college that there should be a shortened form of service, by what authority, on that assumption, would the shortened form of service be enacted; would it be the master only, or would it be the master with others?

Assuming that it could be done legally, which we should have first to inquire, it would be done by the master and fellows in college meeting assembled, who are the ordinary of the chapel.

715. So

715. So that, assuming that it could legally be done, it would be the governing body of the college that would make the change?
I should say so, in every case.

716. Therefore, it would appear to follow that, inferring that what obtains at Corpus obtains elsewhere at Cambridge, the governing body of a college would have the power of altering the service?
I should say so.

717. You have answered the question as to heads of houses, and have expressed an opinion that you think they ought to be in holy orders, have you not?
Or rather that they ought to be members of the Church of England; two or three are now laymen.

718. Do you think it desirable that there should be any further extension of liberty as to headships of colleges being held by laymen; or would you wish any restriction to be imposed, or that it should be left to the college to do as it thought best?
I think it is a great advantage that the head of a college, like the heads of most public schools, should be in holy orders.

719. What would apply to a large public school would apply to a college, you think?
I think so.

720. You have mentioned the power of alteration of statutes; it is a very important subject connected with the question of safeguards; may I ask, is there any authority at your own college that would interpose between the governing body of your college and the Queen in Council?
I am not aware of any.

721. Do you think it desirable that in the case of the University of Cambridge there should be some such authority interposed if a measure like the present were passed; to point my question, I will remark that at Oxford a change of statutes can only take place with the consent of the visitors. Do you think any precaution or safeguard of that kind would be desirable at Cambridge?
I think it would be a very feeble additional safeguard. In the case of my own college, the Vice Chancellor and the two senior Doctors of Divinity are the visitors in ordinary cases.

722. So that you think no safeguard could be introduced, beneficially, in that direction?
I think it would be a very slight additional security.

723. With regard to the fellows and the tenure of fellowships, it has been urged that a college might be in danger of passing into the hands of a clique that might be disposed to take one set of views or another set of views, and it has been suggested by way of safeguard, that if fellowships were held for shorter periods than now, there would be a likelihood that such cliques would be broken up; in your opinion would a shorter tenure of fellowships be a safeguard?
I think the effect would probably be the very opposite. My reason for saying so is, that at the time a change was made in the statutes of our own college, an attempt was made to limit the tenure of lay fellowships. That I, with others, opposed; and ultimately the lay fellows were put upon exactly the same footing as the clerical fellows; the result of that is that a layman feels that he is a *socius in perpetuum*; his permanent interest in the college is just the same as that of the clerical fellows; it conduces to the harmony of the college, and gives the man an interest in maintaining the college in efficiency, and in avoiding hasty and reckless change.

724. So, to speak generally, you would not be in favour of shortening the tenure of fellowships, but you would leave the *socius* a *perpetuus socius*?
I certainly should.

725. *Lord President.*] I think I gathered from an answer which you gave to a question put to you by the noble Earl on this side of the Table, that you did not yourself anticipate practically that there was much probability under the

Rev. *E. H. Perowne.*

28th July 1870.

operation of such a Bill as this, that colleges, in which the system of instruction was practically Roman Catholic, would be established in either of the Universities?

That would be my opinion.

726. You are aware, I suppose, in confirmation of that opinion, that it was proposed some time ago to establish a Roman Catholic hall in one of the Universities, and that the heads of the Roman Catholic Church in this country strongly objected to it, and put a stop to the project?

I have understood so.

727. You were asked a question with respect to certain offices which were described by the noble Earl as chaplaincies at King's; you were asked whether, under this Bill, they would not be open to persons who were not members of the Church of England; are they at the present time, under the statutes of the college, only tenable by persons who are in holy orders in the Church of England?

I cannot answer the question, as I do not know sufficiently the statutes of King's; but from their having to perform Divine Service in chapel, I imagine that they must be clergymen.

728. Were you not then in error in stating, that under the Bill those chaplaincies would be open to persons who were not members of the Church of England?

I fear I interpreted the word "offices" without reference to the clauses of the Bill; that occurred to me afterwards; I am glad to have an opportunity of correcting myself.

729. I understood from your former evidence, that you have for 12 years paid great attention to this subject, and consequently I do not doubt that you have very carefully read the Bill at the present moment before the House of Lords, and, therefore, probably your attention has been directed to the fact, that under the Bill no office which now can only be held by law or by Statute by a person in holy orders in the Church of England would be open to any other person?

Yes.

730. You understand that to be the provision of the Bill in that respect?

Quite so.

731. As to what is really the subject referred to this Committee, with respect to the safeguards which you think might be devised, supposing the principle to be carried out which has been affirmed by Resolution of this House, namely, that offices not now capable of being held by members of the Church of England should be open to others; what would be the safeguards which you would suggest with a view of maintaining the religious character and discipline of the Universities; are you able to make to the Committee any definite proposals in regard to safeguards of that description?

I fear it is quite out of my power to offer any suggestion.

732. Is it fair to say that you do not think that any such safeguards could be provided?

Certainly, I am not prepared to suggest any myself; I never heard of any which seemed to me worth the name of safeguard.

733. You were asked whether, if those safeguards could be provided, you would see any objection to some relaxation in the present system of tests in the Universities; I did not quite gather the nature of your reply, whether you individually thought that any such relaxation was possible or desirable, or whether you held the contrary view?

I share with a great many others who are opposed to this Bill, in the great desire, if possible, to comprehend a larger number of those who are outside the Church within our system of instruction; but I feel that the government of the University, and of the colleges, ought to be kept in the hands of persons who have some definite form of belief.

734. Do you mean that that "definite form of belief" should be the belief of the Church of England, or that it should simply be the belief of some religious body?

I think

I think that conformity to the Liturgy of the Church of England is the mildest test which could be devised.

735. But it is something different from "some definite form of religious belief;" it is a distinct adherence to the belief of a particular religious body?
Dissenters who come to the Universities attend the services of the Church of England; many of them actually receive the Holy Communion upon expressing a desire to be confirmed.

736. Would you then be content if your test were attendance at the services of the Church of England?
I should be content with conformity to the Liturgy, I think; I can conceive, as I said, of no test which would be at once so comprehensive and so valuable as a safeguard.

737. By "conformity" you do not mean "subscription"?
Simply a declaration of conformity; if I may state my reason for that, it would be simply the fact that I have never refused to admit a Dissenter to the college, and no man who has come as a Dissenter has taken his degree as a Dissenter.

738. You speak, I suppose, of your own college?
Yes.

739 Earl of *Harrowby.*] What do you mean by a declaration of conformity?
The master requires a certificate of baptism of every candidate for admission; if that certificate of baptism is signed by a Dissenting minister, I point out to the student that if he is not a member of the Church of England he is legally excommunicated; I must pass him over when the Holy Communion is administered. I have found that all the Dissenters, without a single exception, are most anxious to be in communion with the Church while they are at college. The number of those men who have been confirmed by the Bishop of Ely is considerable, and I think if Dissenters taken singly are thus willing to conform, probably, but for political purposes, they would all conform and take fellowships.

740. *Lord President.*] You are aware that there is a case which has become rather well known to the public, of a gentleman who was recently senior wrangler at Cambridge, and who on account of his religion was precluded under the existing state of the law from being admitted (I do not know whether to all fellowships, but) to a great number of fellowships and professorships of the University, or even to the position of a member of the senate so far as the power of voting goes?
I am aware of that.

741. Are you quite satisfied with the state of things in which a gentleman who has attained the highest intellectual honours at the University is afterwards excluded from all those positions, and even excluded from a vote in the Senate?
That gentleman knew when he entered that it must be so; I think in every system there must be hard cases; but I think they are very few and exceptional; hard, apparently, but not unjust.

742. That is not quite an answer to my question. I asked you whether you thought it was a satisfactory state of things that a gentleman of those attainments, who was able to enter the University, to pass through its examinations, and to come out at the head, should be subject afterwards to disabilities of that kind?
I think it is the least of two evils; it would be a greater evil if he were eligible.

743. You can offer the Committee no suggestion for getting rid of that which you admit to be in part an evil?
I am quite unable to make any suggestion except one which would throw the door open to all.

744. You were asked a question with reference to Clause 4, and you assented to a very strong expression of opinion in regard to that clause; you admitted it was not worth the paper upon which it was written. Have you carefully considered the legal bearing and effect of that clause?
Yes, I think I may say I have.

Rev. *E. H. Perowne.* 28th July 1870.

745. You would perhaps be surprised to hear that it was a clause drawn up by one of the most eminent lawyers of the present day, as being amply sufficient for the purpose for which it was framed?
I am surprised to hear it.

746. You stated that although you could understand a difference between the case of the colleges at Cambridge and those Dissenting colleges to which you alluded in the former part of your evidence, you did not yourself think that there was any fair distinction to be drawn between them; but is it not the fact with regard to all those colleges of which you produced the reports, that they are distinctly theological colleges for the training of Dissenting ministers of various denominations, with the exception of one, which is mainly a theological college?
I suppose they are mainly so.

747. Does not there appear to you to be a very broad distinction between the case of colleges intended to train ministers for particular denominations and colleges intended for general education?
There is a distinction, certainly.

748. Can you tell me what is the number of the clerical fellowships at present existing at Cambridge; I mean by clerical fellowships, fellowships either to be held by persons in holy orders, or with respect to which the holders of them are obliged, after a time, to enter upon holy orders?
I could not give you it accurately.

749. Can you give it in round numbers?
I should not like to do so in consequence of recent changes.

750. I believe I am not incorrect in saying that they are a considerable proportion of the fellowships in the University?
I should think they are.

751. Therefore, I suppose you would attach, from your point of view, very great importance to the provisions of this Bill which maintain the existence of those clerical fellowships?
I think it an important clause.

752. In so much as it provides that a large proportion of all the fellowships should be held by members of the Church of England?
Yes, so far, I think it important.

753. I did not quite understand whether there were at Cambridge visitors for each college, as I believe there are at Oxford?
I think for all the colleges, certainly for most.

754. Are they frequently members of the Episcopal Bench, as in the case at Oxford?
In the case of King's College, St. Peter's College, St. John's, Jesus, and Christ's colleges, that is the case.

755. You would wish, probably, to correct your evidence in regard to the mode in which the statutes may be altered; you said that they might be altered by the governing body of the college, with the consent of the Queen in Council; I think you will find under the law the consent of the visitors is required also?
I was referring to my own college, and I laid stress upon the fact that the visitors practically would be resident members of the University.

756. Still, as a matter of fact, the consent of the visitors is required, in addition?
I am not certain of that.

757. Although some of those visitors may be bishops, you do not attach much importance to that as a safeguard?
I should very much prefer Parliamentary legislation.

758. Are you aware that when it was proposed in one of the colleges at Oxford to diminish the number of clerical fellowships, the late Archbishop of Canterbury stopped the proposition, on the ground that it would injure the interests of the clergy as a profession?
I was not aware of that.

759. If that was so, would it not show that the visitors had those powers, and that they did not hesitate to exercise them?
I think it would, certainly.

760. Can you tell me how many of the heads of houses at Cambridge are, under the statutes, required to be in holy orders?
I should think 14 or 15. I am not aware of more than three colleges where a layman is eligible.

761. If there are only three colleges at Cambridge, the heads of which can under the statutes be laymen, the provisions of this Bill, which would abolish tests, would apply only to these three colleges?
I do not understand that Section 4 enacts that the existing college statutes, which can be altered with the sanction of the Queen in Council, should have the force of an Act of Parliament.

762. I am not alluding to section 4 entirely; I am alluding also to the first sub-section of Section 3; is not it the fact that under this Bill those heads of houses who are required to be in holy orders would be required to be in holy orders still?
Those heads of houses who are required to be in holy orders by a changeable statute, would be required to be in holy orders by a Statute still changeable with the sanction of the Queen in Council.

763. Did I rightly understand you to say that the visitors have the power of vetoing new statutes?
I am not prepared to say whether they have or have not.

764. You stated that you felt great objection to the inclusion in the schedule of this Bill of that clause in the Act of Uniformity which requires that the service of the Church of England should be performed in the college chapels; would it be any considerable improvement in the Bill, in your opinion, if that clause were retained?
I think it would be a great improvement if that clause were not repealed.

765. Duke of *Somerset.*] So far as I understand from your evidence to-day, and on the former occasion, you object entirely to the principle of this Bill?
I do.

766. You have said openly that if the Bill is to be adopted you do not think that it is possible to introduce any efficient safeguards?
I am unable to suggest any myself. I do not say that it is impossible.

767. You do not see your way to any efficient safeguard?
I do not.

768. The danger that you apprehend is a danger, as I understand, that the colleges would fall into the hands of some particular sect?
I think that might be the ultimate result.

769. That is the danger you apprehend?
It is one danger.

770. A former witness had no fear of the colleges falling into the hands of any sect; his only alarm was at a party of infidelity rising up in the University; as I understand, that is not your fear, your fear being that some sect would take possession of the colleges?
I think we should be exposed to both dangers.

771. You stated that Cambridge was free from strong religious partisanships at present?
Yes; I should say that it is.

772. And from that infidelity which has been imputed by a former witness to some members of the other University?
Yes; we are, I think, to a great extent free from it.

773. I think you have also said that though you object to this measure altogether, yet if there is to be a measure you would prefer a compulsory measure?
Yes; I think it would be better.

Rev. *E. H. Perowne.* 28th July 1870.

774. Lord *Stanley of Alderley.*] If all tests were abolished, would not morning and evening chapel have to be dispensed with also?
I am afraid they would.

775. Would not undergraduates do as private soldiers often do, say they were not members of the Church of England, in order to escape by that means from chapel?
I think the worst class of undergraduates would; not the better.

776. If chapel is dispensed with at the Universities, would not it follow that it would have to be dispensed with at the great public schools also?
It would seem so, though I am not aware of any connection between the statutes affecting the two.

777. Lord *Lyveden.*] If your alarm arises from the fear of the admission of irreligious persons to the honours of the University, rather than from the admission of Dissenters, could you devise any check which would exclude irreligious persons, and at the same time admit a large number of Dissenters?
It seems excedingly difficult to do so.

778. You have stated your impression of the feeling of the University as to their dislike of this Bill; can you state to the Committee your impression of the feeling of the University as to the probability of the passage of some such Bill?
I think, probably, there would be a larger number who would expect some such Bill to pass, than would be favourable to the passing of it.

779. Are there any whom you know who are apprehensive that if this Bill were not passed a wider measure would be brought forward in another year?
I have heard it said in Cambridge, by many, that they felt it would be scarcely possible to devise a worse measure.

780. Notwithstanding that the Bill contains the provision which you have lately been examined on; namely, that where, by the statutes, the heads of houses must be members of the Church of England, they must still be members of the Church of England?
I must repeat what I said, that I do not conceive there is any safeguard in this Bill for the heads of houses remaining members of the Church of England.

781. Duke of *Marlborough.*] Can you inform the Committee whether there is anything in the deeds and charters of foundation of the colleges at Cambridge which gives them a specific character as belonging to the Church of England?
I think, in the older statutes and deeds of foundation (I am speaking of those colleges which have been in existence 500 years) it was not necessary to specify it, because in some cases they were religious houses, and therefore connected with the Church of the land, and dissent was not allowed to exist.

782. In fact, many of them would be Roman Catholic foundations, I suppose?
At the time that the Church of the land was in communion with Rome.

783. They were, in fact, foundations belonging to the national religion, whatever it might be?
Yes.

784. You stated in your former evidence, that the Board of Theological Studies is nominated by the Council, as I understood you, and elected by the Senate?
It is, partly.

785. Supposing that the Senate did not elect any of the nominees of the Council, what would be done then?
Then the Council would nominate others.

786. The nomination would continue in the Council till somebody was nominated and elected by the Senate?
Yes.

787. Your apprehension, I understand, is, that in the event of persons professing various religious opinions composing the Senate, there would be a kind of religious warfare in the election of persons of different religious denominations

tions representing the views of the electors on the Council and upon the Board of Theological Studies?

I think that that would be the inevitable result.

788. Do you also apprehend this further result, in the event of this warfare continuing to a considerable extent, and religious party feeling running high, that as a compromise it might be proposed that the subject of religion might be dropped altogether, or that that might, in fact, be the result?

Yes, I fear that must be the result of such a struggle.

789. I think you stated, in answer to a question put by the noble Earl opposite, the President of the Council, that you considered that it would be a desirable thing that "some definite form of religious belief" should be professed by everybody having a portion of authority or holding office in the University?

I think it would be desirable.

790. Might I qualify your answer by asking you whether you do not consider it necessary that some one definite form should be professed by those having the government of the University and of the colleges?

Yes.

791. That definite form you consider would be best arrived at, if it was the national form of religion?

I think so.

792. Represented by the Church of England?

Yes.

793. Do you think it possible that a religious system could exist in a University in which there was no one definite form, but where all religions were equally considered to be acceptable and allowable?

I think it quite impossible that any religious profession should remain under such circumstances.

794. Do you consider that it would be possible to have any effectual religious teaching under such circumstances?

It would be so difficult as to be almost impossible.

795. Do you find it necessary, in teaching, that you must have a particular course or syllabus; that your teaching must be circumscribed within certain limits?

Yes.

796. Would it be possible to carry out a system of religious teaching in a University which comprised teachers of various religious denominations, teaching at the same time every kind and possible form of religion?

It would be quite fatal to religious instruction worth the name.

797. I think you said that there was a Statute of the University which prohibited any person in preaching before the University impugning the doctrines of the Church of England?

"*Nemo doctrinam aut disciplinam Ecclesiæ Anglicanæ legibus publicis stabilitam concionando in academiæ templo oppugnet.*"

798. You believe if a Bill of this character were to pass, admitting conscientious persons professing different religious creeds, it would be necessary to abrogate that Statute?

It would be impossible to enforce it.

799. Do not you conceive that it would be a great injustice to a conscientious believer in a definite form of religion, to prevent him having the use of the public pulpits of the University to promulgate those religious opinions which are tolerated and accepted in the University?

I do.

800. Lord *Houghton.*] Is it not now within the faculty of any religious body, either Dissenters or Roman Catholics, to establish a college or hall in connection with the University?

Rev. *E. H. Perowne.*

28th July 1870.

I am not aware that by founding such a college in the University, it would become connected with the University.

801. Could not such a house be established, the members of which should perform all the necessary devotions or whatever they required, and who, at the same time, should attend all the University courses, and have all the advantages of the University?

I think that the statute for the establishment and regulation of hostels would hardly admit of that.

802. Was not it seriously in contemplation at Oxford to establish a Roman Catholic hall in connection with the University, and without any objection being raised by the University to it?

I do not know whether the Oxford Statute for the establishment of hostels is the same as our own, nor do I speak positively with regard to the operation of our own statute, but it hardly seems to me to contemplate such a case as you put.

803. It was contemplated by the University Commission that houses of this kind should be established, and it has been frequently argued against this Bill that Dissenters had no grievance, because they could, if they chose, establish houses where they could have their own religious worship, and at the same time the advantage of University education?

I feel it difficult to interpret a statute which has really scarcely been brought into operation; we had one hostel at Cambridge, which survived a few years, and then disappeared. My impression is that it would be very difficult to found a Roman Catholic college under the statute for the establishment and regulation of hostels.

804. It being my impression that such a thing is not only possible, but that it was seriously contemplated, and without objection, would you see any difference between a college of that kind being newly established and such conditions being introduced into an old foundation or college?

I think the difference would be that in the case of a new college, at any rate, all the governing body would be one way of thinking, whereas the great evil that we apprehend under the operation of this Bill is that we should have as many different creeds as we have members of the governing body.

805. You have admitted Dissenters into your own college?

Yes.

806. In any large number?

I think in the last year about five or six out of 45.

807. Have any dissenting members of your college taken high places at the University?

One was Fourth Wrangler last year.

808. If he had been a member of the Church of England, would he have had a fair claim to a fellowship in your college?

He was confirmed during his undergraduate course, so that the difficulty is obviated.

809. Do you deny that it would have been a grievance and a hardship upon him, to be kept out of the fair reward of his industry and intelligence, by what you consider the necessary condition of your society?

I am not prepared to admit that. I should have felt I had been wronging him, in allowing him to remain in a religious house as a Dissenter.

810. Looking at the probabilities of the case, supposing this Bill to pass, supposing it to have its full consequences, and supposing Dissenters to take more interest in the Universities than they now do, do you think within any reasonable time you can contemplate, any number of Dissenters or Roman Catholics, or persons indifferent to the Church of England, would be likely to become the dominant body in any college whatever?

I think in some small colleges they might soon become the dominant body.

811. It would be only by becoming the dominant body that they would have any chance of one of their members becoming the head of the college?

I can

I can conceive a popular fellow, a man of great attainments, being elected master, even though the sect to which he belonged was not dominant.

812. Do not you think the influences of the Church of England must remain for a long time the dominant influences of the Universities?
It is far from certain.

813. Do you not think your fears with regard to this matter, are not likely to be practically realised, say, in your own lifetime?
Events happen so rapidly, changes come upon us so suddenly, that I think the fears I entertain are well grounded.

814. Would not the realisation of those fears and anxieties imply such a weakening in the power of the Church of England, that those events must almost take place, whether such a measure as this became law or not?
I hope if the breakwater is maintained, that the tide which is now running so high may ebb.

815. By "tide," you mean running against the Church of England?
Running against the Church of England, and against all definiteness in religious matters.

816. You spoke, in answer to a question by the noble Duke, of the impossibility of giving fair religious instruction under a system such as this Bill contemplates; if that is so, would you go to the length of saying that competent religious instruction of the most serious and the most profound kind was not given in the great foreign Universities in which the collegiate system can hardly be said to exist, but in which, nevertheless, the University system embraces almost every form of Divinity?
I think that may be accounted for by the very different conditions under which the students are at the foreign Universities, from those which are existing in our own Universities.

817. Are you not aware that whatever might be a man's inclination towards any peculiar form of doctrine, he would be able to get good exposition and learned information upon such doctrine from the great theological professors at the foreign Universities?
I know that many parents in England would feel no confidence in the theological instructions given at many foreign Universities.

818. Would not that arise rather from the choice and latitude that is given than from any deficiency in the value of the instruction which is imparted?
I think it would be from that latitude principally.

819. Would you go the length of saying that our two small Universities comprise the whole amount of theological teaching which the world can afford?
I think they comprise, perhaps, the soundest and best, at least in the estimation of English parents, which is what we have to consider.

820. Take, for instance, the study of Hebrew and Oriental languages generally, would not it be rather to foreign Universities than to our own that you would send a student who wished to make himself a profound master of those languages?
I am not aware that he would get better instruction in those Universities than he would in Oxford and Cambridge.

821. I understand you to say that, on the whole, you would prefer this compulsory Bill to a Bill in which it was left to the action of the separate colleges; will you enlarge your reasons for that preference?
I feel that it is essential to our carrying out our system successfully in the University and in the colleges, that we should be in comparative tranquillity; a constant state of excitement with regard to changes which may very likely come upon us, I think is very prejudicial; no one can live in Cambridge without feeling that we are suffering from it very seriously now. I think what is settled by Act of Parliament, after the best consideration that can be given to the subject, is much more likely to be for the permanent good of the Universities than that which is suggested by the governing body for the time being, knowing, as I do, that that governing body consists of men many

Rev. *E. H. Perowne.*

28th July 1870.

of whom really have no experience whatever, some having taken their master's degree a year or two ago.

822. You think there might be fluctuations of opinion and change and confusion, which would make it almost better of the two that the thing should be compulsory?

My reason for thinking so is that the statutes have worked for 300 years in my college, and there has been scarcely any change found to be necessary. The Elizabethan Statutes are still quite comprehensive enough.

823. Do you not therefore think if this Bill became law, and the subject passed out of the region of controversy, that even that result itself, though you might have some fear and anxiety connected with it, would be attended with the advantage of allaying a great deal of the present discussion and difficulty?

I am speaking rather of a compulsory measure as contrasted with a permissive measure; but I should contemplate the effect of the Bill as it stands with the utmost alarm.

824. Your alarm, if I understand you rightly, goes beyond the discipline of the University?

Yes.

825. And extends itself into the range of theological teaching?

Yes, and also to that which comes so much before the tutor of a college, the feeling of the parents; I think they would view this measure with the same alarm that I should, judging from correspondence I have had with parents.

826. Would not all the great indirect influences of the place, with which we are all so familiar, remain just as powerfully in action if these formularies were taken away?

I fear they would not.

827. Has not there been under these tests not only great freedom of opinion, but what you would consider a very dangerous latitude of opinion in some of the largest colleges in Cambridge?

I think the evils of such latitude of opinion have been very much mitigated by the obvious inconsistency of the men who hold those opinions, more obvious to young men, perhaps, than to any one else.

828. You think this freedom would rather encourage that latitude than diminish it?

It would legalise irreligious teaching, and to a certain extent it would encourage it; the safeguards which have existed would be removed.

829. Do you contemplate the possibility of teaching adverse to the doctrines of Christianity being introduced in the University of Cambridge?

Such teaching is not unheard of in England, and we know that it exists on the Continent.

830. You do not think that the influences of the Church of England are at present likely to be sufficiently strong to prevent any invasion of the religious feelings of the place, to that extent?

I think they are; that is to say, of the Church of England recognised by the Legislature as the Church of the Universities; but I think if the Church of England was so weakened, as I apprehend would be the result under this Bill, it would be powerless to stand the current of false teaching in matters of religion.

831. You do not think the indirect influences and power of the Church of England at the University of Cambridge would be sufficiently strong to arrest or to prevent any such unhappy consequences?

I think, hitherto, they have been; but I think in the new position in which members of the Church would find themselves, the power of the Church would be very much weakened.

832. Earl of *Morley*.] You were asked just now whether the senior wrangler, by being a Dissenter, was not excluded from certain positions. Is it not the case that within the last 10 years there have been three senior wranglers who, from their religious opinions, have been excluded from fellowships?

I have understood there are three senior wranglers who have not been elected to fellowships.

833. Earl of *Harrowby.*] Your feeling is, that the general damage done to the University by the change proposed would far outweigh any advantage that might be gained by a small number of persons who now experience some inconvenience?

That is quite my view.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Monday next, at One o'clock.

Die Lunæ, 1° *Augusti*, 1870.

LORDS PRESENT:

Lord President.	Earl Beauchamp.
Duke of Somerset.	Bishop of Gloucester and Bristol.
Marquess of Salisbury.	Lord Colchester.
Earl Cowper.	Lord Stanley of Alderley.
Earl of Carnarvon.	Lord Lyveden.
Earl of Powis.	Lord Houghton.
Earl of Harrowby.	
Earl of Morley.	

The Marquess of SALISBURY, in the Chair.

Professor JOSEPH B. LIGHTFOOT, is called in; and Examined, as follows:

Professor *J. B. Lightfoot.*

1st August 1870.

834. Duke of *Somerset.*] You are a Professor of Divinity at Cambridge, I believe?
I am Hulsean Professor of Divinity.

835. How long have you held that position?
Nearly nine years.

836. Before that, were you connected with Cambridge?
I was tutor of Trinity College for between four and five years previously.

837. Then you have had many years' experience of the University?
I have resided there ever since I went up as an undergraduate.

838. You have seen this University Tests Bill, I believe?
I have seen it.

839. Would you state whether you consider that it is better for the interests of the University to continue the requirement of the present tests, or to yield to the opinion which is in favour of a relaxation of those tests?
If I had had to answer the question a few years ago, perhaps I should have answered differently; my opinion now is, that a change is needed in the direction of the Bill. I do not say that I should exactly agree with all the provisions of the Bill.

840. For the interests of the University, you think that something in the direction of this Bill is desirable?
I think so.

841. As you say "something in the direction of the Bill," have you sufficiently thought of the subject to offer to the Committee any opinion upon the leading principles of the Bill?
I should be prepared to accept the leading principles of the Bill, but it has appeared to me that it might be possible to provide some guarantees.

842. Some guarantees for what?
Some guarantees which would secure the maintenance of religious worship and religious education more effectively than the present Bill would.

Professor *J. B. Lightfoot.*

1st August 1870.

843. In the Universities?
Yes.

844. Then, so far as regards the admission of Nonconformists to the honours and emoluments of the University, you would not object to that, provided you obtained some sort of guarantee, as I understand?
I should not object.

845. You are aware, I suppose, that in former years guarantees have been often talked of in Parliament; for instance, when the Catholics were admitted, some persons said that it was most desirable to admit them, but there must be a security and a guarantee; afterwards it was thought better to give up those securities and guarantees, and the tendency of Parliament leads one to suppose that guarantees have not been found very efficient; is that your opinion generally?
I really do not know. My experience of guarantees has not been very great, and it may be that no such guarantees as I have contemplated would be effectual: I can only state that it is my private opinion that the Bill is defective in that way.

846. Would you state what sort of guarantee you would wish to introduce; while doing away with the present tests, would you wish to introduce any new test?
I do not think with regard to fellowships that any new test would answer the purpose.

847. Would you limit the tests to any particular class, then?
I do not see, for instance, why the headships of colleges should not have been excepted in the Bill.

848. Looking to it as a measure the permanence of which is desirable, do you think that the attempt to exclude the heads of colleges would be likely to last, or do not you think that there would be another attempt to make a change again and another disturbance?
I really cannot say; it would depend very much upon the course of popular feeling in the matter; but I do not think that there is any injustice in retaining the headships of colleges as at present, regarding them as the centres of the religious system of the college.

849. The teachers of religion would be secured by the Bill, would they not?
They would; but the head of the college stands in a very close relation to the chapel services, for instance: and then, again, the colleges are patrons of a large number of livings, and have to deal with the interests of a vast number of parishes, and it does seem to me advisable that there should be some one person, and that that one person should be the head of the college, who should be distinctly and officially in sympathy with those duties which he has to fulfil.

850. The two points you have noticed are the services in the chapels and the college livings, I think?
Those occur to me; of course there are other matters connected with the religious education of the college, but with those two matters the head of the college is directly connected.

851. I wish to go to those points first. With regard to the chapel services, should you be satisfied if you thought there was ample security that the services in the chapels would be according to the service of the Church of England?
I should be satisfied with that, provided that the portion of the revenues of the colleges which at present is devoted to maintaining the chapel services was not confiscated for other uses.

852. You would desire that the chapel services should be maintained, and that the revenues now devoted to the services of the chapel should be retained for those services; is that so?
Yes.

853. Then,

853. Then, with regard to the college livings, you would be afraid, as I understand, that if a Nonconformist should, by accident, be the head of a college, it would be inconvenient and disadvantageous to the Church, as regards his influence in appointing to college livings. How are the college livings appointed to?

The appointment to college livings rests with the governing body, which, in the smaller colleges, I believe is generally the master and the fellows; but in a large college like Trinity and one or two others, it is the master and seniors, that is to say, the master and the eight senior fellows, the appointment being confirmed by the seal of the college, which is affixed with the consent of the 16, that is to say, the eight seniors and the eight next to them in standing.

854. Is it your opinion that the appointment being in the hands of the master and the eight senior fellows, for instance, would not be sufficient to secure the appointments to the Church of England?

I am not sure that I quite understand the question. The appointments must be given to clergymen of the Church of England.

855. Of course they could not be given to other than clergymen of the Church of England; but you think, as I understand you, that they might be given to some who did not take the view of religion that would be best for the University; is that so?

Of course upon the supposition that the head of a college was a Nonconformist, it would depend very much upon the person who held the office whether the interests of the parishes would be consulted or not. I ought to mention that, first of all, the college livings are passed down the list of fellows, and unless there is any *gravis causa* in the case of any individual, the college cannot pass over a fellow. He would have legal redress if the college were to do so; but it very often happens that the livings pass beyond the list of fellows, and then of course the governing body gives them to whomsoever it thinks fit. It was not, however, chiefly in reference to the appointments, but rather in reference to the interests of the parish, that it seemed to me that the head ought to be in harmony with the Church of England system. There are constant applications for aid for parish purposes, for school purposes, and the like, and on these accounts I should consider it desirable that the head should a member of the Church of England.

856. Then it was rather on account of the applications for these benevolent purposes, for schools, and other contributions of that kind, than on account of the actual appointments to the livings, that you thought it would be disadvantageous for the head of the college to be a Nonconformist, as I understand you?

In the appointment to the livings, the head would, as a rule, only have one voice with others, but of course his personal influence would be great. His vote would be a single vote, except in the case of an equality of votes, in which case he would have a casting vote.

857. But since they would be obliged to choose first of all any fellows who were in orders to receive a vacant living, and next, if they passed beyond them, some one who was properly qualified for such a living, is not that sufficient security for the appointments to livings?

Of course it is a very considerable security, but it is just the moral influence which the master or head of a college has in an appointment of that kind which I value; it is of much greater value, probably, than his individual vote.

858. What other security have you in the case of all the appointments made by lay patrons in the country; in that case you have not even the security that you would still have in regard to these college livings, have you?

No; I suppose you have not in many instances.

859. Therefore you would still have a better security for those livings than you have for all the mass of livings in the country, the presentations to which are in lay hands?

But then the number of livings which a large college has is, I suppose, much greater than the number which is in the hands of a private patron; at all events, their relations in the way of property with the parishes are much closer.

Professor *J. B. Lightfoot.*

1st August 1870.

860. Then your fear would not be, as I understand you, so much for the interests of the University as for the interests of the Church?

I cannot separate the two altogether; I regard the maintenance of the established form of religious worship in the colleges as of very great importance, and therefore it seems to me advisable to provide all the securities that you can for the maintenance of it.

861. That is for the chapel services?

Yes, for the chapel services.

862. Should you be alarmed at all as regards the appointment of other teachers: for instance, we have been told that there is danger in connection with the teacher of history or of moral philosophy; you would not insist that they should be necessarily members of the Church of England?

No, I should not insist upon that; I cannot, of course, foresee the consequences; but considering the state of opinion, and taking into consideration all the circumstances, it seems to me best to hazard that.

863. Then you would not mind any other points except, as I understand, the possibility of the head of a college not being a member of the Church of England; and your objection there is with a view to the college livings, and with a view to the service in the chapel; I think those are the points to which we are coming?

Those are the points on which I laid stress. Of course, when I say that I should not mind anything else, it means that, considering all the circumstances, I think such a concession may be made.

864. *Chairman.*] In the colleges at Cambridge is it your opinion that the fellows or the head generally appoint the tutors?

I do not know what the practice at other colleges is. In my own college, Trinity College, there was a change made by the last statutes. Before that the appointment was solely in the hands of the master. Since that time it has been transferred to the master and seniors; that is to say, the master and eight senior fellows. They make the appointments to all the college offices now.

865. Are the senior fellows always in residence?

Not always.

866. Is it the eight senior fellows in residence or the eight senior fellows who appoint?

The eight senior fellows in residence. Under the new statutes the actual seniors will be more frequently in residence than was necessary under the old, because with those who have no vested rights residence will hereafter be a condition of their retaining their emoluments as seniors.

867. Are the seniors merely those who are oldest, or are they elected in any way?

They are elected, but they are elected by the seniority.

868. What is the seniority?

The masters and the eight seniors; they elect to their own number.

869. They co-optate?

Yes; but it is the practice to elect the one who is next in order on the list, provided he is resident; and I believe he would have legal redress if he were passed over, unless the seniority were able to show a *gravis causa.*

870. So that, practically, if a man is a fellow, and resides, he must become a senior?

If he wished to do so, he would.

871. How many fellows of Trinity are there?

There are 60 in all.

872. And of these, eight form the governing body?

Eight, together with the master.

873. Is there any kind of obligation to be in orders on the part of these eight?

No, there is not.

874. Then

874. Then, supposing that all tests or religious qualifications were abandoned, it would be quite possible that the majority of these eight should be persons not belonging to, or even persons hostile to, the Church of England?
It would be possible, certainly.

875. It would only require that five out of 60 should be Nonconformists, in order to give a majority to them in the governing body of Trinity College?
It would only require that number; but they must be the five at the head of the list, or at all events among the first eight.

876. And, of course, if that were true of Nonconformists, it would equally be true of persons hostile to Christianity altogether?
It would.

877. I suppose it would not be a very improbable contingency that in the whole 60, at one point or another of the scale, there should be five persons hostile to the Church of England, supposing the election to be perfectly free from tests?
I should conceive it to be a possible contingency.

878. And the fellows elected to Trinity College are not elected on any other qualification, are they, than that of their intellectual superiority?
Their character is taken into account.

879. Their moral character?
Their moral character.

880. But their opinions are not taken into consideration in the election?
No.

881. The question would therefore be, whether there is a probable chance of five persons hostile to the Church of England being best in the examination during one or two years in succession, because in that case, supposing they wished to reside, they would regularly, in due course, certainly become members of the governing body?
As a matter of fact, as years go on, there is a great sifting of the fellows; large numbers leave, and practically we find that the seniority is spread over several years. For instance, Professor Sedgwick is now our senior fellow; he is 43 years older than I am; I am the junior of the eight seniors at the present moment.

882. That of course depends upon the chances that the various fellows would have of getting other employment in life, which would not be consistent with a residence at Trinity College?
Yes.

883. I suppose there are a considerable number of livings in the hands of the college.
There are.

884. And of course as the Fellows now consist entirely of persons belonging to the Church of England, there are a good many persons in holy orders who are fellows of the college?
Yes, a very considerable number.

885. It would necessarily follow that any of those persons accepting benefices, would not be resident fellows?
It would.

886. As it is quite clear that Nonconformists could not accept benefices, the chances in favour of the residents being hostile to the Church of England would be very considerably increased by that fact, would it not?
They would be increased, no doubt; and supposing the Nonconformists were very numerous, they would be very considerably increased.

887. But whether they were numerous or not, it would not be absolutely necessary, in order for them to be powerful, that they should be numerous. All that would be necessary would be that chance should so favour them that five of them, wherever they might have been, should become senior fellows?

Professor *J. B. Lightfoot.* 1st August 1870.

And that they should be of that stamp of Nonconformists who would combine together in order to overthrow the system of the Church in the college.

888. But the point to which I wished to bring these questions was, that whether the result was one inconsistent with the Church of England character of the college or not would be a matter of mere chance; whether the chances were great or small, it would be a mere chance, and not within the discretion of any one authority to prevent or to control, would it not?
Quite so.

889. Do you think that it is, in view of the proposed legislation, an altogether healthy state of things that the appointments to this governing body should depend entirely upon chance?
There are very many considerations which we have to regard in the matter; paying due regard to them all, I have come to this conclusion: of course, I see very plainly that there are dangers attending the change, but I do not think that the maintenance of the present state of things is free from danger either. Seeing the change of opinion within the last few years, I myself have altered my views upon this matter; it is not that my own religious opinions are at all changed, or that my opinions as to what is advisable in the abstract are changed, but having regard to the change of opinion around me, and seeing the dangers that attend the maintenance of the present state of things, I have arrived at the conclusion I have stated.

890. But what is it, in your opinion, that the Nonconformists, who are pressing for this change, desire; do you think that they desire the honours and emoluments, or do you think that they desire power to overset the religious discipline of the colleges, or both?
That I do not know; I have not had very much intercourse with Nonconformists, and I am unable to say.

891. Do you think that the opinion whose force you respect, and which has had a modifying effect upon your own views of expediency, would be in any degree satisfied if free access were given to the Nonconformists to honours and emoluments?
I think not, if it were given simply to Nonconformists.

892. Or to all persons?
I am not sure about that, but I think so far it would be a wise concession.

893. Do you think that this opinion attaches much or the predominant weight to a concession which should enable persons hostile to the Church of England or to Christianity to revolutionise the existing system of the colleges?
I am unable to answer that question. So far as I can judge from the state of opinion around me, that is to say in Cambridge itself, I think the wish for a change is based upon two considerations; first of all, the desirableness of having a larger field to choose from for our instructors, and secondly, a sense of justice, as they would say, to those who are at present excluded from emoluments.

894. The latter consideration would be satisfied by free access to emoluments, would it not?
Yes.

895. Do you yourself think that there would be any harm in requiring that some control should be given to some person or authority over the choice of this governing body, over and above the blind action of chance?
If it could be done, and if such a position could be maintained, I should think it would be advisable; but I question how far it could be maintained.

896. You mean in a Parliamentary sense?
I allude to the pressure of opinion without, and, to a certain extent, to the pressure of opinion within the University itself.

897. You think that the opinion in the University itself would press for the opening of these dignities (I refer to the senior fellowships) to all persons without distinction?

It is very difficult to say; there is probably great diversity of opinion upon that point; but no doubt a certain number would not be prepared to stop at that point.

898. Is there any point at which they would be prepared to stop?
I do not know; perhaps not.

899. I suppose your range of change would be very large, if it was not to be limited by any other consideration than the necessity of satisfying those who wished for change?
It would be very large theoretically, no doubt; how it would work practically is another matter. Whether there really would be an immediate and a very great change in the state of things by an alteration in the law, I am not prepared to say.

900. It is quite clear with regard to the point we are now dealing with, namely, its effect upon the seniority, that a very considerable number of years must elapse before those admitted on the new system could affect the constitution of the seniority?
Yes.

901. That is only as regards Trinity College?
Yes.

902. But it is true, is it not, that this seniority, supposing that a Nonconformist or an anti-Christian majority were to find its way into it, would be able entirely to overthrow all securities and all machinery for the maintaining of religious education or discipline in the college, their power would be absolute, would it not?
Their power is absolute within the limits imposed by the statutes, but in order that such a result should be brought about, it would be necessary first of all that they should be able to act together; and secondly, that they should either be able to defy opinion in the college below them, or that they should have on their side the opinion of the junior members of the college.

903. There is nothing in the statutes which places them at all at the mercy of the college below them, is there?
Nothing in the statutes so far as regards the ordinary administration of the college; but of course, as they are bound by very close social and other ties, they are more or less dependent upon the state of opinion in the college. Moreover, a certain control is exercised over them by the annual meeting of the whole body of fellows.

904. Do you know if the constitution of other colleges is similar to that of Trinity College in this respect?
I believe that in most of the smaller colleges the whole body of fellows are the governing body.

905. And they appoint the tutors?
I do not know how that is; I cannot say whether the tutors in those colleges are appointed by the master or by the master and fellows.

906. You spoke of a difficulty in those who are hostile to Christianity, or to the Church of England, acting together; there has been no such difficulty in the course of the present agitation, has there?
No, but then the object was to remove restrictions. When it comes to a matter of definite individual opinion, I should conceive that there would be more difficulty in their acting together.

907. But as long as their object was mere negation, I suppose they could act together pretty well?
Yes, I presume they could.

908. For instance, for the destruction of the common worship in chapel, or for the admission of all sects to it alternately, such a thing as that would be a measure which would excite no internal differences among them?
No; supposing them to be so disposed.

909. Can you tell me with respect to the University examinations, how far the admission of Nonconformists to vote and hold offices in the University would affect the religious character of those examinations. Would there be any

Professor *J. B. Lightfoot.*

1st August 1870.

any difficulty in working the examinations with persons of very violently contrasted religious belief in places of authority?

It is difficult to say what might come to pass, but judging from past experience, I should say that there would not be any serious difficulty in working them.

910. All such machinery is under the control of the senate, is it not?

Yes; ultimately it is under the control of the senate.

911. And the senate possesses the power of modifying any intermediate powers that now might interfere with its free action, the constitution of boards, and so forth?

The Act of Parliament is the safeguard of the existing constitution of the University. The council nominates to boards, and the senate elects, but the initiative is taken by the council.

912. But the senate have the power of refusing?

They have the power of refusing.

913. Do you know whether your statutes contain the words which occur in some of the Oxford statutes, with reference to the election of fellows, that they are to be elected as persons capable to conduct a place of religion and learning?

There are words to that effect in the statutes of Trinity College: "Whom they shall deem to be most fit to be a fellow of the college, as a place of religion, learning, and education."

914. In spite of that, the fellows, as a matter of fact, only consider learning and morality?

I believe they act up to what they consider to be the spirit of the statute, regarding the college as a place of religion, learning, and education.

915. I suppose, whilst the tests exist, they do not consider that it is necessary to go into religious opinions?

No, they do not.

916. But I suppose you imagine that the power would be left to them under that statute, if the Act passed, of considering the opinions of a candidate?

The power would be left to them, but no doubt it would be extremely difficult to exercise it.

917. Do you appoint examiners, or do the fellows examine for themselves for the fellowships in the college?

The master and seniors examine for the fellowships.

918. Do they return a list?

They elect.

919. Without naming the best man?

They simply elect; there are so many vacancies, and they elect so many to fill them, the names on the list appearing according to seniority of standing in the college.

920. They do not give any intimation as to the intellectual result of the examination beyond the result of the election?

No, except so far as any individual may do so privately; there is no public announcement.

921. The seniors have the power of electing the fellows, as I understand?

They do elect the fellows.

922. Earl of *Harrowby.*] Do you consider that this change will be in itself an advantage to the University as a place of religion, morals, and education, or is it a mere concession to opinion, which you think it is impossible to resist?

I certainly should not advocate it in any way merely as a concession to opinion, but the interests of religion seem to me to be so very closely bound up with the state of opinion at any given time, that one's views upon the one must be modified by changes in the other; and that is really my ground for advocating some alteration of the law.

923. Would you be good enough to develope that opinion; in what way, looking to the interests of religion and education, do you suppose that, in the existing

existing state of opinion, the change would be better than the present state of things?

In the present state of things we are obliged to reject for fellowships persons who, by their intellectual qualifications, are competent.

924. For what purpose; as fellows?

Yes; because they are not members of the Church of England. Moreover, we have had cases of existing fellows resigning their fellowships from conscientious scruples. These two facts together act injuriously upon religion in this way; at least this is my opinion: first of all, with regard to the men themselves who suffer, it gives them, as I fear, a fatal bias against what I consider to be the truth, because they have to sacrifice their wordly interests to their conscientious scruples about receiving it. And again with regard to others, it enlists against what I conceive to be the truth, the chivalrous and independent feeling of the younger men. Feeling somewhat strongly on these two points, I confess I have been led to think that some change is advisable in the interests of religion.

925. Does that feeling equally extend to putting persons, without regard to religious opinion, in charge as tutors of the young men who are confided to your care?

It does not extend equally to that, no doubt.

926. Is it an injustice to withhold from a person advantages which belong to a condition which is not his; would it be an injustice to withhold from a man who was not a Hebrew scholar, the duty of teaching Hebrew?

I never have regarded this myself as a question of justice or injustice, but simply of expediency; but I know that it is regarded by others in that light, and it influences them accordingly.

927. Would it be considered a wrong thing in an individual, in choosing a tutor for his own son, to take into consideration other matters than merely intellectual capacity as ascertained by an examination?

Certainly not.

928. Does it seem to be quite unnatural that a college should exercise something of the same discrimination in regard to the training and education of youth?

I think in itself it would be a higher state of things where that was done.

929. Do you not look with some apprehension to letting in entirely for the education of youth (I am not now speaking of houses or emoluments) a man, whose capacity for that duty was simply ascertained by the result of an intellectual examination?

I should hope that in the appointments some regard would be had to other qualifications. I would say, from beginning to end, that I do not look upon the change without some apprehension; but weighing the dangers on both sides, it seems to me that the balance is in favour of an alteration of the law.

930. And of throwing open the tutorships as well as the fellowships without regard to religious character?

If it were possible to retain the tutorships, I should be disposed to advocate that; but I do not see how you can draw the line. The fact is, that the educational system is so closely graduated that you cannot stop at one point in the scale and say, that such and such a person is an educator of youth, and those below him are not. The education is conducted as much by the private tutors, who very frequently are bachelors who have just taken their degrees, as it is by the college tutors. Therefore, by simply providing that the college tutor shall be a member of the Church of England, you cannot provide that the education shall be in the hands of members of the Church of England.

931. You would reserve the headship for the Church of England?

Yes.

932. Is not the headship as much desired as an honour and emolument, by those who are anxious for a change, as the tutorships?

I should think this consideration could hardly influence anyone, inasmuch as the headships are so few that the chance of an individual obtaining a headship is very small.

Professor *J. B. Lightfoot.*

1st August 1870.

933. But you are aware that such influence has been exerted that although the Bill, as introduced into Parliament, excluded the headships, in the course of discussion the headships have been included amongst those offices to which, under the Bill, no test is to be applied?

Yes.

934. Does not that show that the position of retaining the headships would be as little secure as that of retaining the tutorships?

The result will depend so very much upon the course of popular feeling in the next few years, that it is really impossible to say.

935. Will it not be equally held to be an injustice to withhold the highest honour as to withhold those which are next to it?

I have no doubt that some would hold it to be so.

936. Would you say that it would be possible to maintain the Church of England system in regard to chapels if, as might happen, there was not a single fellow representing the Church of England?

I sincerely hope that that state of things will never come to pass, whatever alterations may be made.

937. You hope that there will always be, at any rate, a residuum of members of the Church of England sufficient to warrant the maintenance of the chapel services, though they may not represent the predominant feeling?

Yes. I even venture to hope that it may represent the predominant feeling; I may be too sanguine, but that is my hope.

938. Should you think it would be desirable to interpose any restriction upon the teaching of any of the professors, as, for instance, the Professor of Moral Philosophy?

I do not think that you can draw any line with regard to any individual professorship; what is the law for one must be the law for all.

939. Not including Divinity, I suppose?

Not including Divinity; for Divinity you have a safeguard; but I mean that, with this exception, you cannot impose a restriction upon any individual professorship without imposing it upon the others.

940. You would have no protection that the Chair of Moral Philosophy should not be made the medium of an anti-Christian crusade?

No; there would be no protection.

941. In the unsettled state of opinion at the present moment, have you any great moral security that such might not be the case as a practical result of the Bill?

The security would depend, first of all, upon the good sense of the electors; and, secondly, on the right feeling of the person elected; but there would be no legal security.

942. Is there any protection at present, in the system of the University, in the way of a prosecution, or removal from office of any kind, for the proclamation of heretical or anti-Christian opinions?

I believe there is; perhaps I may be permitted to the statutes to see.

943. Is it a college or a University statute?

A University statute. There is a body of men who are called the "*Sex Viri*," who take cognisance of immorality in University officers; and I believe that in some cases they also take cognisance of heretical teaching.

944. Was not there a case, some years ago, of a Mr. Friend being expelled from the University on that ground?

Yes; but that was under the old statutes, and so long before my time that I only know of it by hearsay.

945. Will you refer to the statute to which you have alluded on this subject?

Referring to the statute, I find that the *Sex Viri* have no direct authority in cases of heretical teaching. As they take cognisance of all violations of the statutes, and as the promulgation of heresy in the University pulpit is a statutable offence, they would have power to deal with it in this particular case; but I cannot discover that their jurisdiction extends to professors' lectures.

946. Do you think that there should exist some power of removal of a man, who in public teaching took advantage of his situation to teach in opposition to the Christian faith?

That

That had occurred to myself as a reasonable safeguard; but I feel bound to say, that having talked it over with numerous persons of various opinions, I have not found that it has met with much favour.

947. Do you believe that the Nonconformist would object to some protection of that kind being given to the common Christianity?
No, I do not think that they would.

948. Lord *Stanley of Alderley.*] Were the persons whom you referred to just now as forming the opinion of the University in favour of throwing open the fellowships, the fellows or the undergraduates?
The fellows.

949. Is there much feeling amongst the undergraduates in that sense?
I should not think that there was any very strong feeling; I cannot say with any certainty, but I should think not.

950. Earl of *Harrowby.*] Are there many Nonconformist undergraduates now in the University?
I believe there are a few.

951. Are they increasing in number?
I should suppose they were; but as I do not now hold a college office, I am not brought directly in contact with the young men, except those who attend my own lectures as a Divinity Professor.

952. Lord *Stanley of Alderley.*] Do you know whether those fellows who wish for the change, and look upon it as a requirement of justice, draw any distinction between the post-Reformation foundations and these, which, being older, may be considered as in a different position, and, having been subject to change once before, may be thought to be liable to another change?
I think the majority of them do not draw that distinction, but I should say that it was drawn by a few.

953. In considering the requirements of justice, is it not a distinction which suggests itself?
I consider that it does make a difference.

954. Lord *Lyveden.*] I understood you to state that you were afraid of the chance of Nonconformists gaining a majority in the governing body: do you think that chance a considerable and immediate one or an inconsiderable and distant one?
I do not consider it immediate; I rather regard it as a contingency, a possibility.

955. That chance exists now, does it not, only it is more remote; I mean there is a chance now of Nonconformists becoming the majority in the governing body, is not there?
No; they have no part in the governing body now.

956. They have, if they choose to take the test?
But in that case they declare themselves to be *bonâ fide* members of the Church of England.

957. Men of no religion at all, that is to say men who are not Christians, might become members of the governing body, might they not?
If they were prepared to take the test, they might.

958. And you have not so much alarm of them as you have of Dissenters?
No, I do not say that at all.

959. It was stated by the first witness who came here from Oxford that he was more alarmed with respect to the admission of men not believing in Christianity, than he was of ordinary Nonconformists; is that your view too?
I do not wish to take up a position of alarm at all, but I think that there is less danger to be apprehended from the admission of Nonconformists than from the admission of anti-Christians.

960. Supposing the Nonconformists became the majority in the governing body,

Professor *J. B. Lightfoot.*

1st August 1870.

body, I think you have said that they would have no power whatever, of appointing a man who did not belong to the Church of England to a living?
Of course not.

961. Then what is the danger you apprehend; is it of their appointing a man holding more nearly their own views than the strictly Church of England views which you hold?
I am afraid that I must have expressed myself rather awkwardly, because I seem to have suggested that I take an alarmist view of the matter, which was not at all the impression I intended to convey.

962. It depends upon how you interpret the word "alarmist;" but you expressed considerable apprehension of the entry of the Nonconformists into the governing body, did you not?
I cannot say that I feel considerable apprehension, but it is a contingency, and certain results might occur in consequence if, it did happen.

963. What I wanted to ascertain from you was, what was the worst you thought they could do if they entered?
I suppose they might very materially interfere with the worship in the college chapel, and they might suppress the religious teaching in the college; but I wish once again to guard myself against being thought to imagine that that would be the line taken by the Nonconformists.

964. I wish, first of all, to confine you to presentations to livings; what harm could they do in presenting to livings?
I do not know that they could do much.

965. Are there not Nonconformist proprietors now who present to livings?
I believe there are.

966. Have you ever heard that they present improper persons, in a Church of England point of view?
I really have had no acquaintance with parishes in which they have presented.

967. You stated just now the number of Nonconformist undergraduates you thought existed in the University; how do you ascertain that?
I have no means at all of ascertaining it. When I was tutor I never made any inquiry about a pupil's religious opinions before admitting him. The Nonconformists used to attend the college chapel without any difficulty.

968. Could you define to the Committee, as you do not like the term "apprehension," or "alarm," what would be the change that would arise from the repeal of these tests, as compared with the existing state of things?
We should be allowed to admit to our fellowship a few Nonconformists who at present are excluded, and would certainly have got fellowships if they had been eligible; and if the tests had been abolished, we should have been allowed to retain as fellows certain men of high intellectual ability, who have felt scruples upon the subject of religious tests altogether.

969. Do you apprehend any great danger from that?
I think there may be some danger, but, as I have said before, it is a weighing of dangers on the one side and on the other, and I am prepared to accept a measure something like that which is proposed, though I cannot think that it is free from danger.

970. Earl *Cowper.*] I think you said that at Trinity College the appointment of tutors used to be vested in the head of the college?
In the master.

971. And that a short time ago a change was made, and it was vested in the master and the senior fellows?
Yes.

972. By what authority was that change made?
That change was made by the University Commissioners, in conjunction with the college, when the new college statutes were framed.

973. And

973. And nothing short of a new statute could make an alteration in that, could it?

Nothing short of a new statute could alter it.

974. And that would be a matter of very great difficulty?

Not of very great difficulty. We frame statutes and lay them before the Queen in Council. We have altered our statutes upon one or two points quite lately, with no great difficulty.

975. Then if it was found practically that a small number of men who happened by accident to have got to the top of the list, and who differed in feeling and opinion from the general feeling and opinion of the fellows, were able to rule contrary to that general feeling, a statute might be made to remedy that practical inconvenience.

No doubt any statute could be made in the way in which I have stated.

976. And it would not be difficult to make one?

No.

977. Therefore you do not think that five men accidentally getting into the seniority would be able to take a part contrary to the interests of the Church of England, unless they were supported by the general feeling of the college, because a statute would be passed in order to make some alteration in the government of the college?

If a sufficient majority could be obtained, they might be defeated in this way.

978. You of course have had much experience of undergraduates, and have seen a great number of them; do you really think that much religious influence is brought to bear upon an ordinary undergraduate in a college under the present system?

It differs very much with individual men. I feel bound to say that I believe that there is very much more than would be imagined from some representations which have been made; but of course men fall very much into sets, and they are influenced accordingly.

979. What are the particular parts of the present system that most influence them?

The mere fact that there exist opportunities for attending college service morning and evening must have some influence upon them.

980. Do you think that if the attendance were voluntary it would not have as beneficial an effect as now, when it is compulsory?

I think that you cannot treat undergraduates wholly as though they were men of mature age. No one would think of leaving it to a schoolboy to decide whether he was to go to chapel or not. The undergraduates in college hold a sort of intermediate position, and you must recognise that fact.

981. I suppose that one of the principal pleas upon which religious instruction is caused to be given is the Divinity examination by the University for the degree?

Yes.

982. That, I suppose, exercises an important influence, as it induces the undergraduate to make himself master of the Holy Scriptures, which he might otherwise neglect?

Yes; and it, of course, occasions college lectures by way of preparation.

983. Do you think that if the Bill was passed the Bible would cease to be a book in which examinations would always take place at the University?

I trust not.

984. You do not think there would be any danger of that?

I cannot say that I do not think there would be any danger of it, but I think the danger is very distant. If I thought that the danger was real, of course I should protest, as strongly as I could protest, against such a change in the law.

985. But you do not anticipate that such a melancholy result would take place?

No.

Professor *J. B. Lightfoot.*

1st August 1870.

986. So long as it was a necessary subject of the examinations in the schools, so long the colleges would be obliged to teach it, in order to prepare their pupils to go through that examination, would they not?
Yes.

987. Lord *Houghton.*] Has it ever crossed your mind whether any tests are practicable which should at once be a check against dissenting opinions different from those of the Church of England, and at the same time against sceptical opinions?
I do not think that any positive test could be applied.

988. Could any negative test be applied?
The only negative test I see, which it would be at all possible to apply, is that proposed by Sir Roundell Palmer; but after talking with others I confess I see serious objections to it.

989. What were the words of that test?
I forget what the words were, but the point was this, that those who held offices in the University and colleges were to pledge themselves not to maintain in their public teaching any opinions contrary to the Church of England.

990. I rather refer to the possibility of any form of words which should be, even in the mind of a sincere man, a sufficient security against his teaching any form of Christianity which might be Christian to his own mind, and yet which would not be regarded as Christian by the general body of the members of the Church of England?
I do not see the possibility of framing any such test.

991. Would not the very profession of a belief in Christianity itself be open to so many possibilities and shades of opinion, and of philosophical deduction, that it would be really no religious security?
I doubt very much whether it would be any religious security, and, on the other hand, it would be liable to some of the objections brought against the present system. There are some men who would object to taking a test like that, almost as much as they object to taking the present test.

992. I suppose you would admit that persons whose religious opinions would, in this country, be considered as most extremely sceptical—for instance, as Dr. Strauss himself—nevertheless might in a certain sense be considered Christians?
I presume Strauss would call himself a Christian.

993. And that what would be called a distinctly anti-Christian form of opinion can hardly be considered as existing in England in any recognised form, at least in any form of public teaching or even of literature: I mean that such an extreme form of opinion as is represented in Germany by Feuerbach or Daumer and such absolute opponents of Christianity, men who write under the belief that Christianity has been injurious to mankind, hardly exists in England?
I think and hope that it hardly does exist?

994. You stated that you considered that there were two distinct religious influences exercised in the religious teaching of our Universities, or rather of our colleges?
I do not think I used the expression "distinct," but I believe there are religious influences which are not ineffective, and not the less so because they are not very prominent.

995. Have not the considerable religious movements and affections of the younger men of late years in the Universities rather come from influences outside the colleges than from any influence in the colleges themselves; I will instance that of the late Mr. Simeon as one of the most prominent?
That was before my time. I do not think that the results produced are to be measured by those exceptional outbursts of religious enthusiasm, but by the imperceptible every day influences

996. Do you think that the tendencies of the more religious youth, either High Church or Low Church, or even towards freedom of opinion in these matters, have been initiated in the colleges or even in the University teaching?
I am unable to say that they were not. I know that Professor Blunt's lectures had a very wide influence.

997. Have

997. Have special colleges been designated as manifesting particular forms of religious opinion?

There has been a difference in that respect in divers colleges.

998. Would you allow that the principal influences in a religious sense upon the minds of the undergraduates of the University have come rather from without than from within?

The calculable influences I would allow to have come in a certain sense from without in many cases, though not altogether; but, on the other hand, I would wish to qualify that by saying that Mr. Simeon himself was a member of the University, and was a fellow of one of the great colleges.

999. The point to which I wished rather to bring you in the matter was, as to whether any test could be devised which, as relating to a mere college or University influence, could be supposed to be any valid check against the great powers of religious and philosophic opinion which come from without.

It is very difficult to answer that question. I should say in the end not, if those powers became very strong and lasting.

1000. Earl of *Morley.*] I understood you to say that what you feared was the introduction into the governing bodies of any people who are indifferent to religion, or are infidel in their belief; do you consider that up to the present time tests have obviated that danger, and excluded persons of that description?

They have not been altogether effective.

1001. I think you mentioned the fact of several fellows having retired who had formerly taken the tests; would you like to mention any instances of that?

I am not in a position to say exactly the motives which led them to resign their fellowships; but there have been two or three instances quite lately where persons have resigned fellowships, and I believe they have done so on account of religious scruples.

1002. Do those facts have rather a bad effect upon the undergraduates, do you think?

I think they have. That is my reason for desiring a change. They create a prejudice against religion.

1003. And it renders the people who retire, in a sort of way, martyrs to the cause, does it not?

Yes.

1004. With regard to the question of religious instruction, you mentiond the religious influence which exists at the Universities; do you refer that to the religious instruction which is definitely given, or rather to what is called the religious tone of the place.

There is the fact that religion is, at all events, brought before the eyes of the men in the college services, and there is the fact that there is a certain amount of direct religious instruction communicated by lectures.

1005. May I ask what the lectures are upon to which you allude?

For the most part in the colleges they are on the New Testament, and also on other subjects upon which the University examines.

1006. The University lectures, I suppose, are chiefly confined to those who are going into holy orders, as is the case at Oxford.

They are open to anyone, and, as a matter of fact, some others attend; but, for the most part, the students who attend are those who are going into holy orders.

1007. Do you reckon the lectures on Paley's "Evidences" as a part of the religious instruction.

There are no lectures on Paley's "Evidences" in my own college.

1008. With regard to chapel services, I gather from you that you think that the compulsory chapel attendance has a good effect upon the undergraduates?

I cannot say that it has a good effect upon all, but I think that, on the whole, the results are better than if the attendance was voluntary.

1009. But I suppose it is now in the power of the colleges themselves to render that attendance voluntary.

It is.

Professor *J. B. Lightfoot.*

1st August 1870.

1010. And do you think that the Bill, as it is at present drawn, would in any way affect that question of chapels?

It would not directly, except so far as it might ultimately admit to the governing body those who are adverse to the existing state of things.

1011. May I ask if you have considered what the general opinion of the University is on this question; do you think that the resident body, the teaching body, is in favour of or against this Bill; I am speaking quite generally, of course?

In my own college I should say, certainly, that the majority was in favour of this Bill, or some measure like it. With regard to the University generally I would not speak with that confidence; I should think it would be found, probably, that the majority was on the other side.

1012. Has there been much change of opinion in the last two or three years amongst the teaching body, so that some who were formerly opposed to the abolition of tests have come to look upon it as inevitable or desirable?

There has been a considerable change of opinion in my own college.

1013. There were two memorials presented last year, I think, one for and one against the abolition of tests?

Yes.

1014. I think I am right in saying that you signed neither?

I did not sign either.

1015. I may therefore ask you, as an impartial person, whether you can tell me at all what proportion of the teaching body of the University signed the two memorials respectively?

I should say that with regard to the teaching body the signatures were nearly equal on the one side and on the other, but I should not wish to speak positively. The fact is that I was out of England at the time, and only inspected the lists of names very cursorily.

1016. Earl *Beauchamp.*] You stated that the statutes of your college had recently been altered. Was that with reference to any question of principle, or only with reference to a question of emolument?

It was merely with regard to certain college offices; it was simply a matter of social arrangement, not affecting any principle or any important point, except the convenience of the ordinary administration of the college.

1017. What is the number of clerical fellowships at Trinity College?

There are no clerical fellowships as such; but every fellow who is not a college or University officer, or has not been a college or University officer for a certain term of years, resigns his fellowship seven years from his Master of Arts degree, unless he is in priest's orders.

1018. And that rule is always enforced, is it?

That rule is always enforced.

1019. Is it acknowledged that anybody obtains a college office, or holds a college office for a short time, in order to secure the advantage of holding on his fellowship?

A man is obliged to hold a college office for 10 years in order to qualify for for a life fellowship, if he is a layman.

1020. Can you give us any information with regard to any other colleges, bearing upon this particular point of clerical fellowships, as to their number or duration?

I should be afraid to do so. I believe each college has its own statutes on the subject.

1021. I think you stated that in the event of such a Bill as has been before Parliament this year passing, and the Moral Philosophy professorship becoming vacant, you would leave it, as I understood you, to the good sense of the electors to choose a person who would not make use of his chair to teach doctrines contrary or hostile to those of the Church of England?

I should do so.

1022. Do you think it would be right and proper, when Parliament had enacted that no test should be required from a professor, that the electors, in the exercise of their good sense, should impose a test which was not known to Parliament.

I should not wish them to impose a test.

1023. But in the exercise of their discretion they would, practically, enforce one?

No; I did not mean that at all.

1024. How would their good sense be brought to bear upon the election?—There is no reason why the Professor of Moral Philosophy should speak of matters strictly theological at all; and I presume that the electors would elect a person of good sense, who would lecture upon his own subject, and not upon the subject of a Divinity professor; that is all I mean.

1025. Is it possible to lecture upon moral philosophy without very narrowly approaching very important doctrinal questions?

Not without very narrowly approaching them, perhaps, but still without expressing any strictly theological opinion.

1026. Would not predestination have a very material bearing upon moral philosophy?

No doubt it would; but I do not know, within my experience, of any Professor of Moral Philosophy in Cambridge who has lectured upon such a subject.

1027. There are a large class of subjects which are connected with doctrinal questions just lying within the field of the lectures of the Professor of Moral Philosophy; I only instanced predestination, but the same remark applies to many other subjects?

It does, no doubt.

1028. I understood you to say that the electors, in appointing to the Moral Philosophy Chair, would exercise their good sense; am I to understand you to mean that they would exercise that good sense in electing a person who would teach moral philosophy in accordance with the views of the Church of England on that subject, or that they would exercise that good sense in electing a person who would ignore that subject altogether?

I did not contemplate their choosing a person who would teach moral philosophy in accordance with the doctrines of the Church of England, but I did contemplate their choosing a person who would keep fairly within his own subject, and not use his office for a theological purpose.

1029. In point of fact, one who would ignore those portions of his subject which nearly approached theological matters?

I do not suppose that they would at the time of the election ask him definitely what he intended to teach, and what he did not. I conceive that they would have no authority to do so, but I trust that they would elect a man of good sense, who would keep fairly within the bounds of his own subject.

1030. Is it not the fact, that if you do not have a system of tests you must have an atmosphere either of religious conflict or of religious torpor and indifference?

It may be so; but I do not think you escape either the one or the other now by means of tests.

1031. Not completely, no doubt?

No.

1032. Which of those two conditions would you consider to be the greater evil?

I should certainly say that religious torpor and indifference was the greater evil of the two.

1033. And you think that that is not so likely to happen under the Bill as a conflict of religious opinion?

I do not think it is so likely to happen as the other; but I do not greatly apprehend either the one or the other as a consequence of the Bill.

Professor *J. B. Lightfoot.*

1st August 1870.

1034. Do you anticipate their arising from circumstances external to the Bill?
I cannot say; but I do not think that the Bill would have the effect of altering the course of religious opinion, or that it would greatly influence the conflict of opinion.

1035. Of course there is a great difference between a conflict of religious opinions within a defined circle and a conflict of religious opinions within no limits whatever?
No doubt there is.

1036. For instance, there must be a very considerable difference in the whole tone of religious discussion amongst persons who believe the Divinity of our Lord and amongst persons some of whom may, or some of whom may not, hold that belief?
Yes, no doubt.

1037. I understood you to say that you were in favour of a relaxation of the tests?
Yes, I am.

1038. By that do you mean their abolition?
Yes; I mean their abolition for fellowships and University offices generally.

1039. That is to say, not a relaxation in degree, but a relaxation as to the persons brought under their influence?
Yes.

1040. I also understood you to say that you were in favour of the leading principles of the Bill; where do you find the leading principles of the Bill?
When I spoke of the leading principles of the Bill, perhaps I ought to have used the singular, and to have said, the leading principle of the Bill. By that I meant the abolition of tests in certain cases.

1041. Those certain cases exactly corresponding with those referred to in the Bill?
With the exception of the headships of colleges.

1042. Then I understood you to say that your reason for being in favour of this Bill was merely one of expediency as distinct from your own approval. You thought it was inevitable that some injury was done to religion by the prejudices of young men being enlisted on the side hostile to tests?
Yes.

1043. Then do you not think that that principle of expediency applies equally to the headship of a house as to the fellowship of a college?
I do not think that the question as affecting the headship of a house practically touches the mass of men in the same way as when it concerns a fellowship.

1044. At the present moment Nonconformists not being admitted to fellowships cannot aspire to the headship of a house; but when you have Nonconformists admitted to fellowship, do you not think that then Nonconformist fellows may aspire to the headship of a house, and would consider it an injustice if it was denied to them, that is arguing from the point of view of the promoters of this Bill?
Possibly they might do so; but it would entirely depend upon the amount of sympathy they had from those around them whether their position could be maintained or not.

1045. You are aware that at the present moment, taking the Universities of Oxford and Cambridge together, there are three tests in force, one being a declaration of conformity to the Liturgy, which is exacted from fellows of the colleges and the heads of houses, another being *bonâ fide* membership of the Church of England (which is exacted from members of the Senate of the University of Cambridge), and the third being the signing of the Thirty-nine Articles?
There is a fourth at Cambridge to which I can bear witness, namely, the promise which every fellow of Trinity makes on entering upon his fellowship.

1046. That is imposed by college statute, and not by Act of Parliament?
No, not by Act of Parliament.

1047. Against

1047. Against which of those three tests which I have described do your objections principally lie, conformity to the Liturgy of the Church of England, *bonâ fide* membership of the Church of England, or the Thirty-nine Articles?
The Thirty-nine Articles.

1048. Is it within your knowledge that that is in some respects the least stringent test of the three, inasmuch as a Presbyterian may sign the Thirty-nine Articles, and yet he would be unable to call himself a *bonâ fide* member of the Church of England, or to conform to its Liturgy?
It may be more comprehensive in that direction, but I believe that practically it would be found very much narrower in another.

1049. You have been asked as to the possibility of finding some test which would define more broadly than at present the doctrines of Christianity; have you considered whether it would be possible to exact subscription to the Nicene Creed?
I do not think that such a test would meet the case which I contemplate, and for this reason: objection has been taken to the form of subscription, which we as fellows of Trinity make, though it is not nearly so stringent as subscription to the Nicene Creed would be. It runs in this form: "Promitto, me veram Christi religionem omni animo amplexurum, Scripturæ auctoritatem hominum judiciis præpositurum, regulam vitæ et summam fidei ex verbo Dei petiturum, cœtera quæ ex verbo Dei non probantur pro humanis habiturum, auctoritatem Regiam in hominibus summam et externorum Episcoporum jurisdictioni minime subjectam æstimaturum, et contrarias verbo Dei opiniones omni voluntate ac mente refutaturum; vera consuetis, scripta non scriptis, in religionis causa antehabiturum." That has already been found too stringent for certain persons whom we should have desired to have retained as fellows of the college.

1050. Were they fellows previously?
Yes.

1051. Is it not the fact that in the Nicene Creed those points on which difference exists between the larger body of Nonconformists in this country, and the Church of England, are not explicitly stated?
That is true; no doubt it would admit a large number of Nonconformists; on the other hand I believe it would repel some who are now able to take the oath, or rather the promise.

1052. They may take the promise as contained in your statutes, but they cannot take the test of conformity with the Church of England, or *bonâ fide* membership, can they?
They do so, and I believe conscientiously; they appear in the Church, they attend the services of the Church, and they are substantially members of the Church of England.

1053. Do you draw a distinction between substantially and *bonâ fide*?
No, I do not.

1054. You were asked with regard to the guarantees which were imposed at the time of the Roman Catholic emancipation as securities for the Church of England, and I understood you to say that their removal met with your approval, and that you rather looked upon the removal of those guarantees as indicating the inefficiency of any system of guarantee or test?
I did not intend to express myself so definitely; so far as I know anything about the matter, I should approve of the removal of those particular guarantees; but I do not think that it follows that all guarantees would be ineffectual; they might prove so in time; nevertheless, it would be worth while making the attempt.

1055. With reference to the government of your own college, do you think that Nonconformists would be sufficiently admitted to the honours and emoluments of the University, if they were admitted to fellowships short of the seniority?
No doubt that line might be drawn; but I think that is a line which probably would soon be overstepped.

Professor *J. B. Lightfoot.*

1st August 1870.

1056. Is there not a very broad and wide distinction between a place of honour and a place of trust?

Yes, there is.

1057. Would not all the reasonable demands of Nonconformists be met by admitting them to posts of honour, reserving those of government and trust for members of the Church of England?

I suppose in that case all the educational positions would be withheld from them. At Trinity College we find it for the interests of the college to admit on our educational staff some who are not fellows of the college, and could not be, because they would not take the tests.

1058. Are they tutors or lecturers?

They are lecturers.

1059. There is a considerable difference between the duties of a tutor and those of a lecturer, is there not?

There is, no doubt.

1060. I ask you again, do not you think that the reasonable demands of Nonconformists would be met by admitting them to fellowships short of the seniority?

Yes, I think they would.

1061. The lectureships being reserved?

I certainly think their reasonable demands would be met; if there were no other consideration, I should agree.

1062. And, of course, if the same system were applied to colleges like St. John's and Trinity, a very large number of posts of emolument would be thrown open to Nonconformists?

No doubt.

1063. Earl of *Powis.*] Assuming that the tests were removed in the case of fellows, do you think it desirable that they should be retained in the case of heads of houses?

That is my opinion.

1064. Do you think those who are at present in residence, who are in favour of the removal of tests would acquiesce in that restriction?

I could not say; I think all of them would.

1065. Do you think that the services in the college chapel could be conducted with any warmth or satisfaction if the head of the house were a member of another communion?

I should certainly think that it would be for the advantage of the religious worship in the college that he should be a member of the Church of England.

1066. Considering the influence exercised by the Vice Chancellor as an elector to a considerable number of offices and prizes connected with religion, do you think it desirable that he should be not a member of the Church of England?

I should prefer, myself, that he should be a member of the Church of England; but it seems to me that the time has come now to concede the University offices, as such. I think, practically, it would be found that the Vice Chancellor, for some time to come, would be a member of the Church of England. If the headships of colleges are reserved, he could be one necessarily.

1067. Supposing the power of voting in the Senate to be open to persons of all religious opinions, do you think some restriction would be necessary as regards the appointment of the persons to the Board of Theological Studies?

The members of the Board of Theological Studies are partly professors, partly examiners, and partly independent members elected by the Senate. I should say, certainly, that the Board of Theological Studies ought to consist of members of the Church of England; I should conceive that, practically, they would be so, but that might be secured in some way.

1068. Do you consider it advisable that the Regius Professor of Divinity and the Regius Professors of Hebrew and Greek, who are, by virtue of their offices, canons of Ely, should be elected by persons not members of the Church of England?

I could

I could wish that the electors were all members of the Church of England; but I do not see how you are to draw the line, so as to secure their being so.

1069. Do you think it would be desirable to repeal that section of the Act of Uniformity, which prevents the celebration of any other service than that contained in the Prayer Book in the college chapels, or in any public place within the Universities?

I should very much wish that we had the power of introducing shortened services in the college chapel.

1070. I was rather pointing to the power, which the repeal of that section would give, to celebrate the services of any other religious body in a college chapel. Do you think the repeal of that section is desirable?

I do not consider that it is desirable to give such a power, as regards the existing colleges; at the same time I have always myself been in favour of allowing the institution of other colleges or hostels of any religious denomination.

1071. Lord *Colchester.*] I understand you to say that your own opinion upon this subject had been changed on considering the evil which you thought, in the present state of opinion, might arise from a continuance of tests?

Yes.

1072. Do you mean the evil effect on the minds of individuals, or the fear of still greater changes being ultimately passed?

I was regarding the evil effects on the minds of individuals.

1073. Those individuals being of two classes, those who are excluded, and those who witness the exclusion of those persons with repugnance?

Yes.

1074. Those who are excluded are persons who are hostile to the Church of England already, are they not?

No, not necessarily hostile, but persons who are not in a position to make up their minds; conscientious men, who are afraid that their views, when settled, may not be in accordance with the doctrines of the Church of England, and at all events do not wish to commit themselves to the side which their material interests suggest to them.

1075. If they were Nonconformists they came up to Cambridge with a full knowledge that they never would be able to take the tests?

If they were Nonconformists, of course they did; but I am supposing the case of persons whose opinions are not settled.

1076. Do you think that persons are influenced in the course of their University education to adopt opinions contrary to the Church of England, to which they had not come at the time of their entrance into the University?

I think there have been such cases. It is impossible to shut our eyes to the fact that a flood of new ideas has been poured in upon the world, and that at present they have not found their proper level; minds are unsettled in consequence, and young men often do not like to pledge themselves to a very distinct form of religious belief; they may not be decidedly adverse to it, but they do not like to pledge themselves to it.

1077. During their education at Cambridge they adopt those ideas?

It is just the time of life when a man's mind is most likely to be unsettled; for the first time he comes across some new facts and new truths, and he does not see their relation to old truths.

1078. Then as to the other class of persons, who regard this exclusion with aversion; they go on the great principle that nobody should be excluded from anything on the ground of his opinions?

No, not so; but they see a man prepared to sacrifice his material interests for the sake of conscientious scruples, and it begets a sort of sympathy with his non-belief.

1079. Should you consider that that sacrifice was a thing exclusively confined to University tests?

No, I do not say that. It seems to me that it is especially attendant on University tests, because of course a vast amount of the intellect and inquiry of the country is gathered together at the Universities.

Professor *J. B. Lightfoot.* 1st August 1870.

1080. A man generally comes to the University, or to any other place of education, with the intention of taking orders; if he comes in the course of time to hold opinions contrary to the Church of England, he is excluded from taking orders?
Yes.

1081. You would not, I presume, abolish any test of opinion on admission to orders?
No.

1082. A man who gives up a living on account of ceasing to hold opinions in conformity with the doctrines of the Church of England is in the same position, is he not, as a man who resigns a fellowship because he ceases to hold those opinions?
No doubt he is; but there is a necessity in the one case for maintaining tests, and there is no such necessity in the other.

1083. To take another walk of life: a man may be excluded from Parliament or from office on account of holding opinions not in accordance with those of the constituency or of the Government?
Of course a man must be prepared to suffer for conscience in divers ways.

1084. After all, it only comes to the question whether the maintenance of the restriction is more important in the one case than in the other; that is to say, whether the necessity for maintaining the exclusion is more important in the case of fellowships than in the case of a person taking holy orders, or any other case in which a man is excluded from office on account of his opinions?
And likewise whether the injury done by maintaining tests is not greater than the injury done by removing them.

1085. You said that you did not yourself join in the opinion that any injustice was done by the exclusion?
I have never been able to regard this as a question of justice or injustice.

1086. You would not regard it, therefore, as a question of justice any more than the exclusion of a man from preferment, or the exclusion of a man from office, or a seat in Parliament, in consequence of his opinions not being those of the ministry or the constituency?
No.

1087. Do you think it impossible to bring people's minds to take that view?
I fear so.

1088. Do you consider that the difficulty of maintaining the tests is caused by the existence in the University of a class of opinion for which you do not see any reasonable basis?
It is a form of opinion in which I do not share, but I would not go so far as to say that I do not think it has any reasonable basis; questions relating to the rights of corporate property involve many difficulties; and the consideration of justice or injustice in a case like this, is a very complicated matter; so I should not venture say that it had no reasonable basis.

1089. Do you think the opinion has any reasonable basis that a man has a kind of inchoate right to hold certain offices, whatever his fitness in religious matters or otherwise may be. Should you say that there was a reasonable basis for the opinion that a man had a kind of imperfect right to hold an office whether his opinions fitted him for it or not?
I should not like to lay down the principle broadly, but I think it may be so in particular cases.

1090. Do you think there is any danger of the other kind, viz., of a much more sweeping measure being passed if tests are not continued?
I can only judge by what is said in the public prints. I do not myself move much in political circles, and therefore I am hardly in a position to express an opinion on this point.

1091. Clerical fellowships would be the only things left that could be much in danger?
Yes.

1092. Do you think if University tests were abolished, the principle of clerical fellowships could be maintained; would not the same tide which swept away the one, sweep away the other?

It depends entirely on the direction and force of the tide; I do not see that they stand or fall together.

1093. There are a large number of fellowships in Cambridge, are there not, which are limited to men who eventually take holy orders?

They are practically limited in that way.

1094. Do you think even if the tests were abolished for 20 years, or a whole generation, that clerical fellowships might still remain in existence?

It depends entirely upon the tide of public opinion. I do not see why they should not be maintained.

1095. Have you ever had much contest in the college of Cambridge for the election of a head; does it ever cause any great amount of turmoil?

Happily, at Trinity our head is appointed by the Crown.

1096. Do you think that would be a preferable system in many cases?

Decidedly so.

1097. As long as it remained in the hands of the fellows, if it was open to them to elect a Nonconformist, there might be a great conflict between the Church and the Nonconformist or non-religious party?

There might, no doubt.

1098. I think I understood you to say as to fellowships, you now practically elect the best man by an examination?

Yes.

1099. You are required to do so, as you understand, by your statutes?

Yes.

1100. Therefore you would be hardly competent to take cognisance of the religious opinions of two candidates for a fellowship, supposing there was no exclusion on account of religious opinions by the imposition of a test?

I think we should hardly regard ourselves competent to do so.

1101. I understood you to say that you appointed men to livings within the gift of the college, if none of the fellows took the livings?

Yes.

1102. In those cases are they appointed by election?

Yes; by the master and seniors.

1103. You were asked whether, supposing some of those having that power of appointment were Dissenters, they were in a different position from private patrons who might not be members of the Church of England; Roman Catholics are excluded by law from presenting to a living, are they not?

Yes.

1104. Is not it supposed to be the case that certain eminent Dissenters have bought the patronage of livings for the purpose of putting in persons who are on the very verge of Church of England opinions?

I do not know; it may be so.

1105. In the case of your professorship the appointment is with the senate, is not it?

In the case of my professorship the appointment rests with the other three Divinity Professors, the Vice Chancellor, and the Masters of Trinity and St. John's.

1106. If all tests were abolished, the appointment to your professorship, and to several other Divinity professorships, might be in the hands of Nonconformists?

If all tests were abolished.

1107. You said, as to the professors generally, you saw no possibility, except as to the Divinity Professor, of making one law for one and another law for another?

No.

Professor *J. B. Lightfoot.*

1st August 1870.

1108. Do you draw a fixed line at the Divinity Professorship as being the only professorship in which it is necessary to impose the test?
I think it only reasonable to keep the Divinity faculty in connection with the Established Church of the kingdom.

1109. In the case of the Mathematical Professorship, for instance, religious opinions would have no bearing?
Not very directly.

1110. Do you consider that the position of the Professor of History and the Professor of Moral Philosophy would more nearly approach the position of the Professor of Mathematics or the position of the Professor of Divinity as regards the possibility of their religious opinions giving a colour to their teaching?
They would stand somewhere midway between the two.

1111. You consider that there is a broad distinction to be drawn between the Divinity Professorship and the other professorships?
I do not think the Professor of History or the Professor of Moral Philosophy is expected to go into questions of theology; it is the office and work of the Divinity Professor to do that; so I conceive there is a very hard and distinct line between the one and the other.

1112. Do you think you can speak of any large portion of University education outside exact science as being wholly unconnected with religion?
Personally, I object to that strong line of division between secular and religious education.

1113. Do you think there is anything whatever to be said in its favour?
I think not.

1114. In fact, you regard that distinction between religious and secular education, which is drawn by a certain class of persons, as an unsound and untenable distinction?
I certainly have no sympathy with it.

1115. In the case of the Professorship of History, if a man avowedly belonged to the Positivist School, he would lecture on history in a different way from a member of the Church of England, would he not?
No doubt.

1116. Taking the case, on the one hand, of a Professor of Moral Philosophy who was a Christian, and taking, on the other hand, the case of a Professor of Moral Philosophy who was a Roman Catholic, and who took his views mainly from the Casuists, their views of Moral Philosophy would be very different, would they not?
No doubt they would. If I might venture to say so much, I do not think you can keep those views and opinions away from a young man by securing that they shall not be taught by University professors, seeing that they are fully represented in the literature of the day, especially periodical literature.

1117. Supposing the University of Cambridge was known to have a non-Christian Professor of Moral Philosophy; supposing, for instance, it had a Comte-ist Professor of Moral Philosophy and a Materialist Professor of Natural Science, what do you think would be the effect on the minds of the parents?
If that were to come to pass, no doubt the minds of the parents would be very much influenced; but I conceive that hardly possible, unless Comte-ist and Materialistic views took such hold on the mind of the country at large that any safeguards which have been suggested would prove unavailing.

1118. Do you think neither of those chairs is likely to be held by persons whose opinions are not the opinions of the overwhelming majority of the country?
I think it might occur.

1119. How are the Professors of Moral Philosophy and Modern History appointed?
The Professor of Modern History is appointed by the Crown. The Professor

fessor of Moral Philosophy is appointed by a small board, consisting, I think, of certain heads of houses, certain professors, and the public orator.

1120. Have you ever had any vehemently contested elections to professorships?

There are certain professorships, the appointment to which is made by the electoral roll, and in those cases there is a contest.

1121. At the last election, the Professor of Moral Philosophy, you say, was chosen by certain electors; has there ever been any great contest for the chair?

The body of electors is not very large; I think about six or seven; I am speaking from memory. The names of the candidates are sent in privately to the electors, and the outside public know very little till the appointment is actually made.

1122. Do you think there would be any possibility, or not, of very great excitement and undesirable agitation, if, on elections to those chairs, people of very marked and very distinct religious opinions came forward on each side, and so giving a religious aspect to the contest?

It would be quite possible if the electors were the members of the electoral roll or the whole of the senate; if the electors were a small body, I should hardly anticipate such a result.

1123. I understood you to say that you were not quite certain as to the opinion of the majority of the University on this matter?

Of the resident body.

1124. But the majority of Trinity College you consider to be in favour of the change?

Certainly.

1125. Do you think it advisable that the University should be as far as possible self-governing; that legislation for the University should be guided a good deal by the opinion of the University?

That is a very wide question. I think it advisable, certainly, that it should be so in many respects.

1126. Would you think it desirable or practicable to make it permissive to the different colleges to remove or to maintain their tests according to the wish of the majority of the governing body?

I always felt a strong objection myself to the Bill when it was still in a permissive form, and it was a great relief to me when I found it was brought forward in a compulsory form. I can conceive nothing worse than the constant agitation in the colleges which would ensue from a permissive Bill; there might be a danger that each election to a fellowship would be made a subject of contention with a view to ulterior consequences, and on that account I entertained the greatest dislike to the Bill in a permissive form.

1127. Earl of *Carnarvon*.] I think you said, a little time ago, that in the peculiar state of religious opinion at this moment, young men were unwilling to pledge themselves to theological formularies?

Yes.

1128. At Cambridge there is no test imposed on matriculating, is there?

None at all.

1129. There is a test imposed for the senate, which is the declaration of which we have been speaking, namely, *bonâ fide* membership of the Church of England?

Yes.

1130. Besides that, there is no other test, except the test imposed in certain Divinity degrees?

I believe there is no University test.

1131. Therefore the amount of University test required at Cambridge is reduced, in your opinion, to the minimum which is practicable if any test is to exist?

I think so, certainly.

Professor *J. B. Lightfoot.*

1st August 1870.

1132. Will you be good enough to explain what you meant by "relaxation" of the test; how would you relax it, if it has already reached the minimum point?

If I used the word "relaxation," I am afraid I used it in a wrong sense with regard to the University; I ought to have said the abolition of the test.

1133. I think you spoke, also, of injury which might be done by the existence of those tests to the minds and conscientious convictions of young graduates?

I feel that point myself very strongly.

1134. I suppose you would admit that, on the other hand, there is an amount of mischief, which may possibly be equal from another point of view, likely to arise to young undergraduates from the total abolition of those tests?

I do not think that the maintenance of the tests secures the undergraduates from those influences.

1135. Do you think that it amounts to exactly the same thing, so far as the undergraduates are concerned, whether there be tests or whether there be not tests?

I would not say that exactly, but the security of tests is inadequate; and, on the other hand, the mere fact that the tests exist creates a prejudice against the Church of England.

1136. I think, in a part of your evidence, you applied the expression "schoolboys" to young undergraduates, and, as I understood you, you implied that, looking at the average age at which they are admitted to the University, their intellectual and moral condition was pretty much that of schoolboys, say, in the upper classes of a large school?

I did not wish to call them "schoolboys," but at the same time I thought they could not be regarded as men with mature opinions; they stand in an intermediate position, and must be legislated for accordingly.

1137. Would you be prepared to apply to schoolboys, in a large public school, the same doctrine of unlimited latitude which you have just now applied to undergraduates at the University?

I certainly should not.

1138. What distinction do you draw between the one class and the other?

What I would say is this, that the growth of a person's mind is gradual, and your treatment of it must be graduated in the same way.

1139. But can you draw any very marked distinction in intellectual stamina between the mind of a young man of 19 at the University and a young man of 18½ at Eton?

No; but I certainly should between a boy of 18½ at Eton and a young man of 22 at the University, about the age when he takes his degree.

1140. The point to which I was wishing to direct your attention is this, is there not a certain amount of risk incurred by young undergraduates, when they first come up to the Universities, of being exposed, without any sort of safeguard, to influences which naturally must arise from the unrestrained discussion of all varieties of opinion?

No doubt there is that risk; I have never shut my eyes to that at any time; but, as I before remarked, I do not think, from experience, that the maintenance of the tests secures undergraduates against those dangers.

1141. Is not the mind of a young lad of 19, perhaps, more open to external influence, and to the personal ascendancy of another person's character, than at almost any other period of life?

Probably it is.

1142. If there is an advantage in this absolute latitude of free opinion amongst the young undergraduates of 22 and 23, is not there a corresponding risk, at all events, in allowing the same latitude of free discussion in the case of young lads of 19?

I wish I could express my feeling about the matter more definitely, but it is just this, that those influences are already brought to bear upon them in divers ways, through books and through periodical literature; and it seems to me that the very meagre security which the maintenance of tests now gives is not worth

worth maintaining, inasmuch as those dangers which I have mentioned exist, notwithstanding the tests.

1143. Are you aware whether opinion on religious questions has become broader, or has been, at all events, more broadly expressed, of late years, since the question of the relaxation of tests has been under public discussion?
I am unable to say; I think it probably has become broader, but I see no reason for connecting the one movement with the other.

1144. I think you said, in a part of your examination, that you considered, under any circumstances, even if this Bill should become law, divinity instruction in the schools would still be required for a degree?
So far as it is required at present. I do not see that any change need be made in that respect; it is confined now in the case of honour-men to the previous examination.

1145. I presume the amount of instruction so required would be little more than you might term technical and historical?
Little more than that.

1146. Do you apprehend that if this Bill were to pass, any of what you may call the more domestic influences of collegiate life would cease; or are you of opinion that such influences do not exist at the present moment in Cambridge?
They certainly do exist; I do not see why they should be interfered with.

1147. Are they not to a certain extent dependent on a supposed unty of religious opinion on the part of the authorities of the college?
To a certain extent; of course it would depend very much on the size of the college.

1148. Do you mean those influences would vary in intensity?
I should think so.

1149. According to number or in an inverse ratio?
In an inverse ratio, I should think.

1150. The smaller the college, the greater the amount of domestic influence brought to bear on the students?
I hardly know what is meant by domestic influence; the influence of individuals of course would be felt as largely in a large college as in a small one, and there are other social influences which are still more potent in a large college than a small; but there are some, no doubt, which are stronger in a small college than in a large one.

1151. I suppose it is in a small college that the practical effects of this Bill would first make themselves felt, is it not?
I think it is more likely, if it had any startling effects, that they would be felt in a small college first.

1152. Might they not easily be felt in a small college in this way, that the number of fellows being small, it would be easy to secure a majority in favour of one or the other religious denomination, and that when that majority was secured, the whole influence of the governing body of the college would become denominational, whatever that denomination might be?
No doubt there is much greater danger in a small college of that result.

1153. For the sake of illustration, supposing that in a college where there were five or six fellows, the majority became Roman Catholic, the teaching of that college, and the influences of that college, would gradually also become Roman Catholic, would they not?
They would, no doubt; I do not anticipate that as a very likely result; at all events, not for a very long time to come.

1154. Why so?
As far as I know, the Roman Catholics have always entertained great misgivings about allowing their young men to come up to the Universities; they are afraid of the influences of the Universities; it would moreover require some time to develope a plan of that kind.

1155. Have they ever stated that in any form?
I do not know that they have.

Professor *J. B. Lightfoot.*

1st August 1870.

1156. Might they not be disposed to reconsider the policy they have adopted, under the very altered conditions of the University which would be brought about when this Bill was passed?

It is quite possible that they might. I conceive if they established themselves in the University they would expose themselves to the influences of the University, and it might possibly be that good, rather than evil, would come of such a policy.

1157. Quite apart from good or evil, upon which I do not enter, would not there be an *à priori* possibility, at all events, that such a result as I have referred to might be brought about?

There is nothing to prevent it.

1158. Supposing that that result did follow, would it not be a result which certainly would be unexpected generally in England by parents who sent their sons to the University under the belief that they would be subject, if not to direct Church of England influences, at all events to religious influences of a similar character?

If a college did get into the hands of Roman Catholics in the way assumed, it would still only be one out of a large number, and it is impossible to suppose that that one college could lead the opinion of the University.

1159. Will you be good enough to explain why, if it be possible for one college to fall under the influence of a Roman Catholic majority, or a majority, in fact, of any denomination (I have merely selected Roman Catholics by way of illustration), it would be unlikely that other colleges would be influenced in the same manner?

It seems to me to suppose a very decided development of religious opinion in one particular direction, if we are to imagine that the other colleges would follow the lead of one denomination, a result which I do not apprehend.

1160. Would not it be a very great object on the part of any religious denomination to secure such a result in the case of more than one college?

It no doubt would be a very great object, but the power of any religious body is limited.

1161. I think you have a good many non-resident fellows in the University of Cambridge?

We have.

1162. What is about the proportion of the non-resident fellows to the other fellows?

The fellowships are not non-resident fellowships; but a person elected to a fellowship may reside or not, as he pleases. Speaking of Trinity College, I believe that about half are non-resident or nearly so. I cannot be quite certain of the proportion; I should say that somewhat less than half the number were non-resident.

1163. Other witnesses have given their opinion as to the advantage or disadvantage of this arrangement; is it, in your opinion, sound in principle that endowments should be drawn from the University, and should be expended at a distance from the University, no service being rendered to the University in return for those endowments?

I have maintained for some years past that the endowments of the University ought to go much more directly to educational purposes than they do.

1164. Can you state any service which is rendered to the University in return for the endowments so withdrawn from the University chest and expended at a distance?

The University or the colleges do not get any direct advantage from persons holding non-resident fellowships; but, on the other hand, I think it must be plain that the liberty of non-residence makes the fellowships much more attractive, and therefore draws men to the Universities. When they are allowed to retain a fellowship, if only for a limited number of years, though they may not be resident, they thus obtain a help to a profession which is of great value to them. At the same time, as I have said before, I do think that too much of the

the college endowments is withdrawn in this way from directly educational purposes.

1165. Do not you think there is a certain disadvantage to the University, and also to the holders of the non-resident fellowships, from the fact of their living at a distance, and being withdrawn from the sphere of all the University influences which naturally attach to the place?

There is, no doubt, a disadvantage; on the other hand, I think there may be a countervailing advantage, at all events to the persons themselves; because, broad as University influences may be, still there are influences outside the University with which it is as well that members of the University should be brought in contact.

1166. If they never attend the University or the colleges, what good results from that?

Their attendance is very occasional, but they do come to the college meetings occasionally.

1167. I understand, from the general tenour of your evidence, that whilst you desire to see University tests abolished, you are not entirely satisfied with this present Bill?

It seems to me of great importance, I confess, that the question should be settled soon. I believe that the irritation which is created by keeping it open is really more injurious than a large measure of concession would be.

1168. Then would you be prepared to accept this Bill in its present form?

If there were no alternative, I might. I may be mistaken, but it seems to me that such safeguards as I have mentioned would be possible.

1169. Will you be good enough to recapitulate, without argument in favour of them, what safeguards you contemplate?

The two points which I mentioned were, first of all, the reservation of headships of colleges, and, secondly, a provision, if it could be introduced, which would preserve for the religious purposes of the college such a portion of the college revenues as is at present devoted to those purposes. I do not know whether it would be found practicable, but it seemed to me that such a safeguard might be devised.

1170. Would you approve of a provision reserving the chapels for the Church of England service?

Yes, I should.

1171. Whatever might be the form of religion professed, either by the head of the college or by the governing body?

Yes; I do not contemplate the governing body professing as a corporate body any other form of religious belief than that of the Church of England, whatever might be the opinions of individual members.

1172. Those would be the only safeguards which you would suggest in addition to what the Bill contains?

They are all that occur to me.

1173. *Bishop of Gloucester and Bristol.*] The noble Earl who has just examined you, referred to the question of terminable fellowships; at your own college, do the fellowships terminate at a certain period if college offices are not held and holy orders entered?

Yes, at seven years, from the Master of Arts degree.

1174. Would the fellowship terminate at the end of seven years absolutely?

It ends absolutely then, unless the fellow is in holy orders or in possession of a college or University office, or has qualified for a life-fellowship by long tenure of such an office.

1175. Do you think that system of terminable fellowships works well in Trinity College?

I have no other objection to it except that which I mentioned, and that depends upon the broad principle that the college revenues are not, in my opinion, sufficiently devoted to educational purposes. In itself, I have no objection to the system.

Professor *J. B. Lightfoot.*

1st August 1870.

1176. Has that system been recently introduced, or has it always been so
It has always existed.

1177. Your opinion is, that there should always be Church of England service in the chapels?
Yes.

1178. You would desire a shorter service where it could be obtained; will you indicate by what authority it would seem to you desirable that that should be adjusted?
I would entrust it to the governing body of the college. I do not see to whom else you could entrust it, unless there were some statute passed, stating in what particular way the college services should be shortened.

1179. Conceding that shorter services might be desirable, but also bearing in mind that if this Bill became law the governing body of the college might be, to a certain degree, alien to the Church of England, how, in your opinion, could we safely entrust to them the shortening of the service when they would be a body not in conformity with the Church of England?
To state my own opinion, I had rather hoped that the Ritual Commission would have suggested some shortened form of service which might be adopted by law, and be admissible in college chapels.

1180. You wish no change of service, even for shorter services to be adopted, unless such change was compatible with the Prayer Book of the Church of England?
I would not; but I very strongly desire that such a change should be made. I do not look forward to any capricious, arbitrary changes from time to time in any particular college.

1181. Still you would deprecate a change in the services of the chapel by any authority wholly independent of or disconnected with the Church of England?
Yes.

1182. There is one point which has not been touched on in your somewhat lengthened examination, namely, the question of statutes. I have recently received from a very distinguished member of our University, a complaint that in his own college the statutes are tried to be altered too frequently by the junior fellows. As the opinion of my correspondent is worthy of consideration, I should like to ask you whether or not you think it would be desirable to introduce between the governing body of the college and the Queen in Council, as at Oxford, any other authority, so as to prevent over-hasty alteration of statutes?
Speaking of my own college, I would say that no doubt the agitations for alterations in the statutes are very frequent; but I think that the constitution is so conservative, that there is no serious danger of those alterations being carried out; at least, that is my experience hitherto.

1183. You would not, therefore, feel disposed to accept a Visitor intermediary between the Queen in Council and the governing body?
I should not like to speak of other colleges, because I do not know the working of their statutes. I do not think it is necessary in my own, for the reason I have indicated, that though the agitations are frequent, still the result is fairly conservative.

1184. So that the statement made to me is only too true, that agitations to alter the statutes are not wholly without example in Cambridge?
Yes; I look upon them as a useful safety valve.

1185. Earl of *Harrowby.*] Are you acquainted with any foreign universities where non-resident fellowships are enjoyed as pensions for life?
No, I am not very well acquainted with foreign universities.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Thursday next, at One o'clock.

Die Jovis, 4° *Augusti* 1870.

LORDS PRESENT:

LORD PRESIDENT.	Earl of HARROWBY.
Duke of SOMERSET.	Earl of MORLEY.
Marquess of SALISBURY.	Lord COLCHESTER.
Earl STANHOPE.	Lord STANLEY of ALDERLEY.
Earl of POWIS.	Lord LYVEDEN.

THE MARQUESS OF SALISBURY IN THE CHAIR.

Professor GEORGE ROLLESTON, M.D., is called in: and Examined, as follows:

Professor *G. Rolleston*, M.D.

4th August 1870.

1186. *Chairman.*] WHAT are you Professor of?
I am Professor of Anatomy and Physiology.

1187. At Oxford?
Yes.

1188. How long have you been a professor at Oxford?
Since 1860.

1189. How old is your standing at Oxford?
I took my degree in 1850.

1190. You are a member of Pembroke College, are you not?
Yes.

1191. You have, I believe, given great attention to the subject of University tests?
I have given considerable attention to it.

1192. You are in the position of having attended meetings of those who requested the Prime Minister to bring in this Bill?
Yes.

1193. And yet of not being entirely satisfied with the Bill as it stands?
I am not entirely satisfied with the Bill as it stands.

1194. Will you kindly state your views upon the subject?
My reason for objecting to the Government Bill is, that I think it admits of being read or interpreted in an anti-denominational spirit; and although there is no doubt that an anti-denominational spirit is the spirit of a large number of persons who are in favour of the abolition of tests, yet there are many who, whilst like myself, in favour of the abolition of tests, are distinctly not anti-denominational in their spirit. I can put my objection, I think, in a plain way by asking the Committee to refer to the Government Bill, and look at the last clause, Clause 5, where the words are, "Any statute or ordinance of the said Universities or colleges, so far as it is inconsistent with this Act, shall be repealed." I think that such an ordinance as that which was laid down after the University Commission of 1854, whereby the governing body in each college was directed or instructed to have special regard to "considerations of the interests of the college as a place of religion and education," might be considered

Professor *G. Rolleston*, M.D.

4th August 1870.

sidered to be repealed by such words as those that I have quoted from the end of Clause 5.

1195. But your opinion is that some substitute for tests is required for the security of parents?

I think that parents have such a feeling, certainly, and I think that parents have a right to look to the same securities at the Universities (though no others) as those which they can look to in choosing a public school, or any other school, to send their children to.

1196. If that ordinance were repealed, as you apprehend, and the colleges were no longer regarded as places set apart for religion and education, you think that their popularity with the parents of this country would be very much diminished?

I am sure of it as regards many parents. There is no doubt that parents have regard to a place as a place of religion when they send their sons to it, whether those sons be boys, or whether they be, as they are, after the age of 18, to my apprehension, men; in either case they have the right to look for certain guarantees, and such guarantees parents do have in choosing schools: that is the analogy that I look to.

1197. Do you not think that as this Act excepts private halls from its operation, if it is to be interpreted in the way in which you apprehend, the effect would be to give a great impulse to private halls at the expense of the colleges?

I do not quite think so, because colleges possess, by virtue of their great age, and as being established institutions around which a great quantity of prestige has agglomerated itself, such a hold upon parents, that I believe a parent would think twice before he sacrificed the advantages, real as they are in many cases, or fancied as they are in some others, of a college, and sent his son to a private hall.

1198. But he will send his son to a college, you think, with apprehension, if the religious character of the institution is lost?

I think if he has not guarantees for the religious character of a college, as compared with a private hall, it will be a strong temptation to him to disregard religious considerations. I think he has a right to find out, and he should have the means of finding out what the religious character of a college is. I do not think that this Bill leaves parents in the same position, with reference to the choice of colleges, as they are left in accordance with the laws of supply and demand with reference to public schools.

1199. Will you tell me in what way you think it would be possible to meet that difficulty?

The way that I have thought of as being the only guarantee that really is effectual and working, would be the re-introduction of some such clause as that which was introduced by the Commissioners of 1854, who came into force after the University Commission of 1850. The clause which has suggested itself to me, and which has been suggested by others, and in the House of Commons' Debates, would run somewhat in this way: "Nothing in this Act contained shall be so interpreted or construed as to prevent the governing body of any college from having special regard to considerations of the religious interests of that society, in electing persons who are to serve as their tutors". That is a permissive clause with reference to the election of tutors, and I believe that it has a considerable number of advantages about it. To begin with, it throws the responsibility upon the colleges; it is with them that the settling of the religious character of their establishment does rest. By its being overtly declared that that responsibility rests with them, they are put before the world as charged with the responsibility which in reality must always rest with them; that is one advantage.

1200. You think that that is better than any other scheme that you can imagine?

I believe, according to the general principles of human nature, that by thus giving power overtly you do pique people into exercising that power as they should. As a matter of fact, the religious character of a college, like the religious actions of individuals, depends simply upon their conscience, collective or individual,

individual, as the case may be; and although you will not by any legislation make either individuals or corporations better than they choose to be, yet by overtly declaring that they have the power of acting in this way or in that, as they choose, I think you do overtly and rightly recognise the responsibility which, as a matter of fact, does rest with them. Further, I would say that the clause already alluded to, 1199, whereby colleges are desired, in the election of fellows, to look, after examination, to the character of a person, "as being most fit to be made a fellow of a college as a place of religion and education," is really all but equivalent to this which I have proposed; so that any objections which lie against the adoption of this clause must tacitly rest upon the assumption that the concluding lines of the University Tests Bill, which I have already quoted, do in effect repeal that provision of the Commission of 1854.

1201. Would you apply it both to the election of fellows and to the election of tutors, or only to the election of tutors?

Perhaps only to the election of tutors. The provision in the Ordinances of 1854 does apply to the election of fellows; but the view which, I apprehend, is very widely taken now, is that by the right which the State has to interfere with property after the lapse of a certain period, the law might make some fellows merely prizemen, and apply this clause only to such fellows as were to serve as tutors. The wording of the clause that I suggested would not limit the choice of the governing body to the number of their own fellows, but would allow the college to choose its tutors from any other members of the University it pleased. Those words simply give colleges a permissive power to act as any private person would act in choosing a confidential servant or a confidential assistant of any sort or kind without the application of tests at all. It simply gives them the power of taking into consideration certain things which, I apprehend, few sensible men would leave out of consideration in acting for themselves in analogous cases.

1202. Is it the practice in your college for the fellows to appoint the tutors or for the head to appoint the tutors?

It is so very long since I have had anything to do with the management of my college (for I have ceased to be a fellow of it nearly nine years, and these rules are sometimes altered), that I do not feel quite certain; I think it is the head simply who appoints the tutors; it certainly used to be the head, but I think the head and the tutors acted very much together in my time.

1203. You do not know what is the general practice in the University?

Yes; it is the general practice in the University that the head alone should do it, and that was a justification of the somewhat illogical retention of tests in the case of heads as opposed to the sweeping of them away altogether. Clearly, if the head retains the power of electing the tutors, though I think that that is a roundabout way of securing the religious character of a college, and not by any means certainly an efficient one, still it is a mode of doing it; and if that clause which was given up in the House of Commons were retained, there would be no occasion to suggest a clause of this kind, at least from the point of view of a member of the Church of England.

1204. You think the security given to the head would be sufficient?

I certainly think that throwing the responsibility upon the governing body of a college would be better than throwing it upon the head.

1205. If he has the nomination of tutors?

I should wish to see a solidarity of interests among all the members of each governing body throughout, including the heads; and as one cannot shut one's ears to the constant proposals which are being made of altering the relations of heads to fellows, even going so far as doing away with headships altogether, of course one would rather have the security left in the hands of any body which is likely to be permanent, or the permanence of which, at all events, is not questioned, than with an officer whose office may be made obsolete.

1206. It is now in the power of a college, is it not, with certain consents, to alter its statutes so as to remove any safeguard with reference to the head that may exist in those statutes now?

I am not quite clear upon that; I imagine that the consent of the Queen in Council is always required, and that of the visitor also.

Professor *G. Rolleston*, M.D.

4th August 1870.

1207. Is the consent of the visitor required?

I think so, but that I would not speak about; I do not know that certainly; I think the consent of the visitor is required as the statute stands at present; but I may be wrong with regard to that; the fact has not come before me.

1208. You remember a clause which was proposed last year by Sir Roundell Palmer, for the purpose of preventing open anti-Christian teaching?

Yes; such a clause has been in force in the Scotch Universities; I cannot say, with reference to it, that it does seem to me to be amenable to the two first great objections which are currently urged againt tests. It certainly does aim at something that is attainable, for you can control a man's actions, and you can control a man's words, though you cannot control a man's thoughts, and the attempt to do the latter is the first intrinsic absurdity (if I may use such a word without meaning it at all offensively) of tests. Tests aim at making men think something. Now you can, by taking proper means, control a man's actions and you can, by taking proper means, control a man's words, but you cannot control a man's thoughts. The Scotch clause, which is sometimes called the "gagging" clause, requires that persons should say nothing *quod adversetur fidei Christianæ*, or rather, I believe the clause says, "contrary to the Church of Scotland." Some such words as "contrary to the Christian faith" have been proposed, and the words, "or to the authority of Holy Writ" were added by Sir Roundell Palmer. You certainly can prevent a man from doing that which is pointed at by that clause, and therefore it is not amenable to the first great objection to tests. Neither do I think it is amenable to the second great objection to tests; for you cannot say of it that it is intrinsically or essentially unjust to a moiety of the population. Clearly, all it asks for is, that a man *should* behave, with reference to his public utterances, as a gentleman *would* behave, that is to say, that he should not use language which is repugnant to the religious susceptibilities of the majority of his audience. I do not think it is amenable to those objections, and I must say that I have none of that feeling against it that I have from the point of view I have just hinted at against tests as a means for securing this end. But I think it is amenable to a considerable amount of objection, which I will state, if you wish to hear it.

1209. Earl of *Harrowby*.] Have you the words of that clause which you have just alluded to?

I have not the words of Sir Roundell Palmer's clause, but they were to this effect, that no person in his public capacity shall say or do anything to impugn the Christian faith, or the authority of Holy Writ; I think that was the purport of it. Some words of that kind were proposed last year in the debate in the House of Commons.

1210. *Chairman*.] Will you state what are your objections to such a clause?

My objections to it are these; that you have really a potent and active cause already at work, namely, the feeling which men of right feelings have against hurting the religious susceptibilities of others. It is considered, I imagine, ordinarily, that a man who abuses his position for disseminating opinions which he knows are against the feelings of the mass of his auditors—a person who attempts to seduce people away from the great principles in which they have been brought up—is guilty of rather a shabby action, an action, indeed, of the character which the word I have just used points to; it is a somewhat cowardly act for an older person who happens to have cut himself away from the faith of his fathers, to employ himself in putting other people younger than himself into the condition in which he is. That, I apprehend, is the view that gentlemanlike feeling would cause people to hold with reference to a person doing that which the clause says he shall not do; and I always feel that positive enactment is a very hurtful ally to actual public opinion. Public opinion works best without allies; and if you ally to public opinion upon such a point as that some positive enactment saying this shall not be done, the positive enactment is likely to be over-ridden, and public opinion has its force in working blunted. That is my first objection to the clause proposed by Sir Roundell Palmer. Then there is another objection from another side, and that is this—that all gagging is an evil *per se*, and that a man, whatever message he has to deliver, whether it be a gospel, or whether it be something quite different from a gospel, does feel himself greatly straitened and distressed

distressed until he has delivered it. It has been represented to me forcibly, that a man does feel himself less of a man if he has to exercise reticence, and to forbear from delivering his message, whatever that message may be. There is a third objection, which is this, that all gagging of *vivâ voce* speaking is absolutely useless, because we have the daily press, and we have publications of all kinds which familiarise our young men, for they are men and not boys, with whatever can be said of any sort or kind, and therefore the clause is practically useless. In the fourth place, I would just say that the Scotch clause is amenable to another set of objections; your Lordships will observe that these are all minor objections, as I look at them. This Scotch clause is amenable, I say, to one of the minor objections to the test system, namely this, that teachers subject to this system, as to the test system, are liable to be suspected by the young men to whom they address their teachings, either of reticence or of advocacy; that is to say, it may be suspected that they are bound either to keep back something or to push something forward. That is one of the objections that people under the tests system smart under, and that is a thing which I imagine under the Scotch clause they would also smart under. Moreover, I think that where the Scotch clause did succeed, and where it was efficient, it would succeed at the cost of a certain amount of moral damage to the moral nature of the person thus forced to exercise reticence. I do not think a person ought to hold his tongue if he feels that he ought to speak; the last objection is the most practical of all, perhaps, though I do not know that it has any actual verification in Scotland, as it happens. It is this, that the system would not succeed as a whole, that is to say, that the proportion of failures under it would be greater than the amount of trouble taken in keeping it at work. These are all minor objections, but I think they are serious ones. I think you would be introducing what, probably, might be a mere *brutum fulmen*, and if it were a mere *brutum fulmen* its existence as such would deaden public opinion.

1211. Are you prepared then to contemplate the opposite alternative of a professor setting up, as it were, an anti-Christian school at Oxford, and conducting a crusade against established belief from the vantage-ground of his chair?

I would ask your Lordships to consider whether such things take place in the Royal Institution in Albemarle-street; I would just say, that what you can count upon is public opinion, as being the potent thing for keeping people in order. Indeed, I do not believe that, except where you have to deal with wrongs to property or wrongs to life or limb, you have anything else to look to but private conscience and public opinion for keeping individuals or corporations straight. What I object to in the Government Bill is, that I think it does not give free scope to the collective conscience of public corporations in managing their tutorial funds, which are not hereditarily transmitted to them as fellowships are, but which are dependent upon their own efficiency for the current year. I do not think that free scope is given to the colleges by the Bill; I only wish to give free scope to the collective conscience of each collegiate community. The Government Bill ties up all offices, including that of the tutor as well as that of the fellows, in its Clauses 2 and 3. I do not think that free scope is given in it to the public opinion of each society, or the collective conscience of each society, in choosing its tutors; and it is just that public opinion which, I believe, keeps people, so far as they are kept, from saying anything at the Royal Institution, or elsewhere where tests are not in force, that would be contrary to the opinions or hurt the religious feelings of the audience; I wish to have that free scope given to it at Oxford and Cambridge.

1212. But as you propose to consult the collective public opinion and conscience of the college, would you not extend the same indulgence to the University?

I think it need not be extended to the professors. My only reason for that opinion is this, not that it is not equally just, but I hope that it is not equally necessary, because the tutor is or should be certainly a young man, for the best educators of young men are those who are nearer to them in age. A tutor is a younger man than a professor, and therefore I think it may be well that he should be more amenable to the interference of the body corporate to which he happens to belong than a professor needs to be. I should say that a professor is ordinarily appointed at an age separated by some eight or ten years at the minimum from that of the mass of the tutors; and the feeling that it is some-

Professor *G. Rolleston*, M.D.

4th August 1870.

what a cowardly thing for an older man to tamper with the faith of a younger man, is the reason why I should think that it was less necessary in the case of professors, as between professors and the University, than I feel it to be as between colleges and their own tutors; and further, it is more just that colleges should have this power, because the receipts (since money measures all things) of each college of course can be directly affected by the vagaries of any individual tutor; whereas the receipts of the University are not so affected, or at all events are not perceptibly so affected.

1213. You took, as a comparison, the case of the Royal Institution; I presume if there were any very unpopular opinions habitually expressed, the means of employing lecturers to express them would very soon fail at the Royal Institution?

Yes.

1214. But that would not be the case at the University, if a professor chose to shelter himself behind the permanent occupation of a chair, and to gather round him a school to propagate his own peculiar and, on my hypothesis, anti-Christian opinions?

It is competent of course to the State, though perhaps not to the University, to legislate as to permanent endowments, but then you have to look at the actual feeling at this present time with reference to putting in motion such an agency as, to save your time, I will call a heresy court. To what extent would a public opinion of the country, or of the University, call for such an interference as that? I will mention just a single history which appeared in the papers, and which I can speak to as having been concerned in it myself, in illustration of this point. Dr. Pusey made a speech on which I happened to differ from him about protecting young men from certain publications which he thought likely to be injurious, and in my answer to Dr. Pusey's speech, I referred to the practice in the Roman Catholic church. Then in Congregation, which consists, as you know, of resident masters of arts, a gentleman who had recently joined the Church of Rome, got up and, answering me, professed himself to belong to that faith, which was of course notorious, and in addition, mentioned that he had recently been either at Oscott or at Stonyhurst College, and that all those books which Dr. Pusey had been objecting to, and wishing to protect the young men against, had been lying there on the table of the library of the Roman Catholic college. That appeared in the "Times:" now we know that we have very exceedingly strong laws and rules against persons of the Roman Catholic faith being allowed to speak in public, or to take any share in the government of the University, yet no interference has been attempted with the person who so spoke in Congregation. I would just say that I think such an interference would be exceedingly foolish; I am exceedingly glad to hear a Roman Catholic, so long as he is a sensible man, or a sensible man of any other views, speak in our Congregation. But although the law stands as it does, you see how little it is acted upon when a case of this kind can occur, in which a gentleman who has seen his way to leaving the Church of England and joining the Church of Rome, though not remaining a fellow of a college in Oxford, is still resident in Oxford, and taking a part in our debates. I am glad to see him take part in them; it is not that I object to that, but I mention it as being distinctly against our statutes, and as being nevertheless not interfered with. I do not think anybody would consider a proposal to interfere with it as being anything but most foolish, and even unjust; at least, I should say so. Then how you can have any prospect of having such a clause as this Scotch clause really practically worked, I do not see. Certainly it is not offensive to a person like myself to hear a Roman Catholic speak; as I say, I have not the smallest objection to it, yet I should have a considerable objection, and it would give me great pain, to hear a person impugn the doctrines of Christianity which I hold in common with the Roman Catholics and other Christians. But I think that even that history which I have related shows that in practice you could not get the agency which your Lordship has referred to put in effectual working now, even in this latter class of cases.

1215. Will you carry back your recollection some 20 or 25 years: do you not think that if we were at a period of time at which the current was setting in favour of Roman Catholic opinion among a certain section, and that some gentlemen were to set up a convent or school for teaching Roman Catholic opinions,

Professor *G. Rolleston*, M.D.

4th August 1870.

opinions, in the centre of Oxford, the heresy laws would be invoked, and invoked successfully?

I should hope not; I do not think they would.

1216. Then, excepting that you would save the colleges, and preserve to them an unity of conscience, you would surrender yourself to the position of rival schools, whose doctrines were as different as possible, competing for the attention and allegiance of the young men?

I am quite of that opinion; and I think few young men are, in these days, hurt at all by having the discordant claims of various sections of Christianity, or indeed, of teachings that are opposed to Christianity, put before him. All protective enactments are, I think, hurtful to the cause which they are intended to serve, and an unfettered public opinion would be ready to protect public decency.

1217. Do you not think that the natural suggestion to a young man's mind, when he hears the most fundamental truths variously stated, is to believe that there is no sure truth upon the subject?

I do not think so; I think if you get young men into a condition in which they pay attention to religious questions at all, that certainly shows that they have got to a tolerably high level of morality to begin with. It is a great thing, as all persons would agree, towards a person getting right in his religious views, that he should be right in his moral practice. I do not think the young men are much injured by it, and, as a matter of fact, I am sure in society and in the press you do, in these days, have young men exposed to free speculation on all possible subjects. If it was possible to keep persons out of the breath of any suspicion attaching to any one of the great doctrines of Christianity, then one might consider whether it was expedient to do so; but I really do not see, from my own experience, having children to bring up, that it is possible to keep them from a contact with these things, and I believe the only real protection is the fullest and freest ventilation possible, compatibly with public decency. It seems to me, however, that corporations whose receipts are dependent upon what the Germans would call their "frequenz," that is to say, the number of their students, have a right to protect themselves against loss from this cause, according to their own discretion, and it is not dealing fairly with the corporation, which is, so far as it is an educational corporation, purely a trading one, to hamper its discretion with reference to the employment of its own funds and the conduct of its own officers. Hence, I should have an enabling clause by preference to the Scotch clause.

1218. Then the summary of your views would be, unity of teaching within the colleges, and perfect freedom of divers teaching outside?

Unity of teaching within each college, if they choose to set up a unity; but I would not have that unity between all the colleges at the same University. I would have no protection given to any one section of believers as against any other; but I would allow any one college to legislate for themselves, so that parents might know that such-and-such was the character of the institution to which they contemplated sending their children.

1219. Earl of *Harrowby*.] Will you tell me what your proposed clause is?

It is to the effect of giving large discretion to colleges in choosing their tutors. The clause should run thus: "Nothing in this Act shall be so interpreted as to prevent the governing body of any college from having special regard to religious considerations in the election of the persons who are to serve as their tutors."

1220. Then the security which you propose as a guarantee is in the selection of the tutors?

Yes.

1221. But the guarantee for the selection of the tutors must rest upon the guarantee for the character of those who select them?

Certainly.

1222. Then what security have you for the character of those who select them?

At the present moment they are all under a system of tests, and you know who are at present in possession. The persons who are advocates for the reten-

Professor *G. Rolleston*, M.D. 4th August 1870.

tion of tests, or believers in the efficiency of them, will of course see that the Church of England opinions start with a very unfair handicapping in their favour, from the point of view of advanced Liberals. That has been urged strongly against the clause I have ventured to suggest.

1223. But it depends entirely upon the character of the electors, now and hereafter, what the character of the tutors shall be?

Yes, and I think fairly so too, because it only affects the tutorial body for the time being; it does not affect the disposition of the funds of which the State has a right to dispose, as they are some three generations or three centuries old. It does not concern that, but it concerns simply the tutorial receipts for the current epoch.

1224. Would you wish to have any change made in the provision which enables a man to remain a fellow for the whole of his life, although living elsewhere, and discharging no duties to the college or the University, and maintaining no interest or connexion with the place from which he derives his income?

I think that there considerations of more or fewer come in; some prize fellowships are a great advantage and a great boon, but there may be too many of them. I think, however, that some of the funds of a college are exceedingly well bestowed in providing these prizes. The question of the tenure of them for the whole of a man's life is a difficult question; it was dealt with by the first University Commission, in the Report of that Commission in 1850 or 1852. The Commissioners decided that a life tenure on the whole was the best thing for a fellowship, because, as Archbishop Whateley suggested, a man felt that, happen what might, when he had got his fellowship he could by no means be reduced to actual poverty; but it has been suggested, and I think with great fairness, that it might be looked upon with great favour as an alternative, if all the colleges limited the tenure of their fellowships to, say, seven years in those cases in which a fellow did not take a share in the tuition of the college. Especially would this apply to what may be called "prize fellowships."

1225. In fact, giving them this permanent tenure is making the fellowships mere prizes for those who succeed at 22 years of age in a certain branch of studies, is it not?

Yes. It is found, however, that open fellowships without any restriction whatever are, upon the average, not held for more than seven years; that persons who are elected by open competition for fellowships marry or get some appointment which causes them to vacate their fellowship, on an average, by the end of seven years.

1226. You do not think that these prizes should of necessity entail the same influence on the management of the studies of the college as is enjoyed by those who are on the spot, and actually engaged in University or college service?

Certainly not; I do not think so at all; I think that a prize fellow gets his prize fellowship for work already done, and not for duties to be performed from time to time, and therefore he should not necessarily be a member of the governing body of the college at all.

1227. Are you aware of any case in any foreign institution of a similar kind where there are, in the first place, these prizes for life, and, in the next place, where they are unconnected with duties to the University, but carry with them the same influence over the studies of the University, or the management of the colleges, as those have who are present and doing the work of the University or college?

I do not. On the other hand, I am happy to think that our Universities are more in relation with the outside world than foreign Universities are, and that there is less of an antithesis between the members of the University and any man of the world who may be in the Foreign Office or other office, or in any other position, than there is on the Continent. There is not the same splitting-up of people into separate lines of life here as there is there. I must say I think it is a great advantage for a college to have a direct connection with the outside world. You may have too many of these roots in these foreign soils, and of course

course some future Commission might regulate and curtail the number of prize fellowships, but the entire abolition of them, I think, would be an evil.

1228. I understand that you would limit the number of these prizes, and that you would limit the influence of the holders of them over the management of the college?

I would distinctly limit the influence of the holders of them, because I do not think you will get people to take an interest in matters where their fortunes are not concerned, and the incomes of the holders of these prize fellowships are not dependent upon the management of the college, and consequently I would not allow them to interfere with it.

1229. You would not limit the influence of a prize fellow over the University?

Not at all.

1230. But you would limit his influence over the specific college to which he belongs?

Yes, for this reason: that as a fellow he has got his money *ex hypothesi*, and it is not increasable or diminishable by any trouble or pains he may take. It appears to me that persons whose interests are directly involved in the efficiency of an institution have a right to a voice in its management, and not others.

1231. I understood your principal objection to the Bill, as it now stands, is its being supposed rather to overrule those principles which are involved in the existing constitution of the colleges as to the choice of their members?

I just took that clause from the ordinances under the Universities Reform Commission to illustrate my meaning. But I will put my meaning in another way. I am not clear that under this Bill, should it become an Act, a *mandamus* might not be asked for by a fellow who was passed over for a tutorship if he was the senior in succession. Now, I think that a large and wide discretion ought to be given to the colleges, and that they ought not to be subject to litigation if they chose, in the exercise of their discretion, to pass over a particular candidate.

1232. Would your object be answered by a special exception being made in favour of those words which you suppose would be implicitly rendered invalid; for example, by some clause saying, provided it should not interfere with so-and-so?

Certainly, I should be satisfied with that proviso; but I think, as a matter of expediency, it might not be well to do that, because the words of that Ordinance cover the fellowships, and they would cover, therefore, the prize fellowships as well as the tutorships.

1233. But with a limitation in regard to distinguishing between fellowships and tutorships, that provision would answer your purpose, would it not?

Certainly, that is all I want; and I have always been in favour of the abolition of tests myself, distinctly upon the understanding (which understanding Mr. Goldwin Smith has put out in his book, "A Plea for the Abolition of Tests," p. 63) that that Ordinance is enforced, or should be enforcible.

1234. You recollect what passed a few years ago in regard to the elections for All Souls College?

It was some eight or ten years ago, I think, and I cannot say that I do recollect it very well.

1235. You are not in possession of the exact ruling of the court upon that appeal?

No.

1236. Do you recollect the appeal in the cases of Mr. Lushington, Mr. Fremantle, and a third person, turning very much upon the interpretation of those words which you have referred to, that is to say, upon the question to what extent those words gave a power to the electing body of looking to other qualifications than those of intellectual distinction?

I have not that piece of history in my memory; I am sorry to say I do not recollect it.

Professor *G. Rolleston*, M.D.

4th August 1870.

1237. You expect more control to be exercised in teaching, by the instinctive feeling of honour on the part of those who are teaching, than by any declaration enforced upon them; I think that is your general feeling, is it not?

Most certainly it is; but I do think that provision should be made, and precaution should be taken, to give the public feeling free scope and play.

1238. But you would have something or other which would entitle, at any rate, an appeal to the honourable feeling by saying, You are not doing what is expected of you?

Yes.

1239. It is a question of how, without a declaration, that feeling of honour is to be awakened, for apparently by your account there was nothing that prevented a Roman Catholic fellow from coming forward and appearing as a Roman Catholic in a position in which he must have known that he was not entitled to appear. Therefore the feeling of honour there was no protection?

I do not think the feeling of honour would come in at all in a case of that kind, as it would in such a case as attacking the cardinal points of the Christianity which is common to Roman Catholics and to other Christians, because our own Church approximates very closely to the Roman Catholic, and there are many other reasons why that feeling of honour is not brought in there; but I gave the history to show how difficult it is in these days to act upon positive enactments the principles of which are not current in popular opinion in the outside world. The existence of tests perhaps makes it still more difficult.

1240. Was not there a feeling of honour which ought to have prevented a Roman Catholic from coming into a Protestant assembly, and an assembly which he knew was intended to be a Protestant assembly?

I must say there are now within our Church such very wide differences, and public opinion has been slow to censure persons much further away than Roman Catholics, if they said what they liked; therefore I do not consider that the feeling of honour would apply to that case.

1241. Lord *Stanley of Alderley.*] With regard to one of your answers to the Chairman, that the colleges would be likely to maintain their pre-eminence over private halls, notwithstanding their having ceased to be places for the teaching of religion, would not the effect of this Bill be virtually to discourage parents from discharging their duty to provide for the religious education of their children?

Certainly, I think so, and indeed I intended to say so. It would be a great temptation to parents to disregard religious considerations as weighing against what they supposed, and sometimes rightly, to be the greater advantages of a college as opposed to a hall. The tendency would be to induce them to give those latter considerations greater weight than religious ones.

1242. My question was, would not the effect of the legislative enactment be that?

Yes.

1243. Lord *Stanhope.*] If one looks back to a period, say, of 25 or 30 years, it is a fact, I believe, that the attendance of undergraduates at public worship in chapel was made compulsory, and that there was a penalty imposed upon non-attendance at that time?

Yes.

1244. Is it not a fact that at present the compulsion has ceased, and that no penalty is imposed for non-attendance?

I imagine it differs from college to college. Two colleges have undoubtedly made attendance at chapel voluntary, but there are several ways in which compulsion may be brought about; and to a young man the *désagrément* of being obliged to appear before the seniors of his college, amounts to a kind of compulsion. I do not think that we can say that attendance at chapel is voluntary, unless it be overtly declared that it is so. I do not say whether it is expedient to make it voluntary or not at the present moment, but I think, as a matter of fact, unless a college has put out distinctly that attendance at chapel is voluntary, you cannot say exactly that it is so.

1245. Is it not a fact that at Christ Church any penalty has ceased to be imposed for non-attendance at chapel?

I imagine

Professor G. Rolleston, M.D. 4th August 1870.

I imagine that it is so. Very probably any positive penalty measured by a money fine or an imposition has become obsolete, but I do not think that obedience to a particular rule can be said to be voluntary unless it is overtly stated by the college authorities that there is no compulsion, because there are several ways in which you can compel a person to do a thing besides fining him or setting him to write out lines from Virgil or Æschylus.

1246. Have you formed any opinion upon that subject, as to whether it would be desirable that attendance at chapel should be wholly voluntary for undergraduates, or that there should be some penalty in the shape of a fine or writing out lines?

I must say I think that spontaneity is a pre-requisite for any religious service. I do not think that much good is done to young men, though it may be so in some cases, by that compulsory attendance. Certainly, this I am clear of—if you can get a few men to do something good and right spontaneously, that example does a great deal more good than all the doing good and right does when it is done as a consequence of an artificial enactment.

1247. I understand from you that the system of compulsory attendance is losing ground at Oxford, and has ceased at several colleges?

It has ceased at two colleges, I believe. At Corpus and at Balliol a student has to notify that he is present at a roll call or something of that kind, and if he does that he need not be at chapel. If a man goes to chapel, that is overt testimony to the fact of his bodily presence, though he may give that evidence by going to the roll call instead, I believe, in those two colleges.

1248. Earl of *Harrowby.*] Is a man a marked man in those colleges who goes to chapel, as a man who makes a greater outward profession of religion than his fellows?

No, I believe not; I believe at Corpus public opinion gets them all to go to chapel at the present time. I have heard that.

1249. Lord *Stanhope.*] On the other hand, does discredit attach to an undergraduate who, from whatever cause, abstains from going to chapel in those colleges?

I have not heard that, but I am sorry to say I am so much older than the undergraduates, that though I do see something of them, I have not asked the question, and I really do not know about it. The only fact I know is this; I believe the undergraduates at Corpus did agree that they would all go to chapel, though they were not obliged.

1250. Lord *Lyveden.*] I will put one or two questions to you upon the clause upon which you have laid so much stress in presenting it to the Committee. I understand you to say that if the clause which has been read to the Committee was introduced into the Bill, you would consider it a sufficient safeguard against the results which are apprehended from the abolition of tests?

I should.

1251. You consider that it would act by public opinion upon the honour of the governing bodies?

It would act by giving public opinion fair play and scope, and not discouraging it, or binding it, both as regards the governing bodies and individuals.

1252. That would be substituting a feeling of honour for the actual compliance with the tests which now exists?

Yes.

1253. Has the feeling of honour acted upon men with respect to taking the tests when they did not believe in them?

No, it has not, but this is a different matter; I propose in choosing a tutor that the collective body brought together should use their discretion in this way. Besides I think it is not open to the moral objections to which tests are in the opinion of many persons amenable, so that it does not stand quite on the same ground as tests; and the fact of tests having been repudiated by many persons, or treated as a dead letter, or taken disingenuously, is not, I think, quite a fair analogy to this.

1254. Why do you imagine that a feeling of honour, arising from a clause in an Act of Parliament, should have stronger force than a feeling of honour arising from actually making an assertion of compliance with the tests?

Professor *G. Rolleston*, M.D. 4th August 1870.

For this reason, that the test is believed to have certain moral objections against it. Whether they lie against it really or not is a matter of opinion, but that they do lie against it is commonly and currently again and again stated; consequently there is not the same amount of public opinion in favour of them that there would be in favour of persons acting as we all act in ordinary life, in choosing persons for any post of trust which we ourselves are concerned in.

1255. Have you read Clause 4 of this Bill?

Yes.

1256. What do you think would be the effect of that clause, which I believe is understood to have been drawn up by Sir Roundell Palmer?

I do not think that that clause really secures very much; it does not protect particular corporations in the way in which the clause that I suggest would enable them to protect themselves.

1257. Would it not act by the feeling of honour of which you speak, against any one interfering with or affecting any otherwise than is expressly enacted by the Bill, the system of religious instruction, worship, and discipline?

I do not wish to undervalue the words "system of religious worship, instruction, and discipline," but when you come to analyse that phrase, and to look not at the words but at the things that they are intended to cover, what are those systems; simply these, attendance at chapel, whether compulsory or voluntary, and a few lectures. I do not think that much is secured by that; that the religious influences of many colleges are great and potent upon the young men, I do not deny, but that is not by virtue of their being colleges which have in force either the systems just mentioned or tests, but simply from the same causes by which any religious man exercises an influence anywhere upon persons with whom he comes into contact under one roof. These influences are personal, and the power of perpetuating them is what I wish to see secured.

1258. Are not the words in Clause 4 of the Bill as strong as the words having reference to religious considerations in your clause?

I am not a lawyer myself, but I have read through Clause 4, and I believe it does not give that power with reference to choosing tutors which I should wish the colleges to be endowed with.

1259. You think that, in spite of its being drawn up by one of the ablest lawyers in the kingdom, who holds pretty much the same views that you entertain?

The ruling of a judge or the construing of a judge, of course, is the thing which you must look to. The clause which I have referred to would prevent a judge from allowing any litigation upon the reading of this Act. Sir R. Palmer suggested the clause I wish for in the last debate in the House of Commons. If such is the intention of the Act, why should it not be overtly stated? If it is really intended not to repeal the old provision, why should not the old provision be re-enacted.

1260. I understood you to say that you do at present assent to the principle of the abolition of tests, and that you were a promoter of a petition to Mr. Gladstone on the subject?

I was present at a meeting last year in favour of the abolition of tests, and I think that tests have so entirely failed of their object, that there really is no good, to say nothing of justice, in retaining them.

1261. What means had you in view for their abolition when you signed that petition. It was the Bill that was brought in last year that you had before you, not this Bill I suppose?

The Bill of this year goes a little beyond the Bill of last year, because then the permissive principle with the employment of tests was extended to the election of fellows; but in this Bill the permissive principle is in no way extended to the election of fellows. The permissive principle can apply with less objection to the co-optation of tutors than it can to the co-optation of fellows who may have no tutorial duties. I look upon tests as one means for securing a particular end, and that one means having very frequently failed in attaining it, and having entailed great evils, I should be glad to see some other means adopted; such, in fact, as the clause suggested would permit a college to use.

1262. Is the clause which you have read to the Committee the only guarantee which you propose against any danger which may follow from the abolition of tests

I should

I should not apprehend any danger from the abolition of tests *per se*, but I should apprehend danger from this Bill going out in this way, because I think it does more than appears at first sight. The putting tutors together with fellows is certainly not what was expected by myself, in petitioning for the abolition of tests; I certainly think that tests are no good security, but as the example of the public schools shews, there are other means besides tests.

1263. Then you are afraid of an apprehension in the public mind, with reference to this Act, than of any evil which would result from carrying out of its provisions?

No, I do not say that; I do think distinctly that if this Bill were to become law power would be given from which abuses might arise.

1264. Earl of *Powis.*] Do you think that it would be desirable that the clause should be retained which originally was in the Bill, requiring that the heads of colleges should be members of the Church of England?

I do not think so; I was certainly in favour of the retention of that clause, but only as a means to an end, on the ground that by having the master of a college, or the head of a college a member of the Church of England, you have some sort of security, although not a very good one, for the character of the tutors. But I think that a clause which would throw the duty upon the governing body, and give that power to them of which I speak, is a much stronger security.

1265. Do you think that the religious services of a college would be conducted with warmth or heartiness if the head of the house was of a different communion?

I really think that when people get into church those matters do not act very much upon their feelings within the four walls. There is an Act of Parliament in which I think the word "lawfully" is used with regard to these services; I believe it might be said that, as the law stands, at present there is a Parliamentary sanction for the performance of the services in the college chapels every day.

1266. Are you aware that it is proposed by this Act to repeal that clause of the Act of Uniformity, which confines the services to be celebrated in any existing college to those in the Book of Common Prayer?

No, I was not aware of that; I thought that that clause in the Act of Uniformity was to stand.

1267. Do you think it desirable that it should be in the power of a governing body in any existing college to authorise the services of other religious communions to be performed in existing college chapels?

That I believe is done on parts of the Continent where the Roman Catholic and Protestant religions are in joint possession of a particular area; I should not contemplate any such occurrences taking place in England as a matter of fact; but I cannot say that, *à priori*, I should think that a church was at all desecrated by being used for the religious services of two distinct sections of Christians.

1268. I contemplated rather the entire substitution of the worship of some other religious communion, and the turning out of the service of the Church of England?

I suppose the interests of the majority must be considered in these matters, and if such a change was to take place in the country, as that the Church of England should so wholly lose its hold of the feelings of the classes that can afford a University education as to allow of such a thing being possible, then I would say let it be done. But that such a thing could ever be realised, I cannot think.

1269. Do you think it would be possible that a small college might get into the possession of a governing body, the majority of whom belonged to some other communion than that of the Church of England?

I should think not; I cannot quite see upon a calculation of chances, how that could come about, because why should you think that any small college rather than any larger one should have a majority of the fellows, belonging to some other communion than that of the Church of England. They choose, of course,

Professor G. Rolleston, M.D. 4th August 1870.

course, the most efficient fellows for the time being, and they would not likely to choose Roman Catholic after Roman Catholic, or Independent a Independent, until they got the college full of any particular class.

1270. Supposing some religious body concentrated all their clever yo men upon a college where they might have some connection amongst the fell in that case, in a few years, might not a majority of the governing bod found to belong to a particular persuasion?

Then I think it would be simply justice that that should be allowed to place, as those persons would *ex hypothesi* represent a large section of the community who would have a vested right in the national property, which the Universities are, from the point of view which I have always taken. I think they have a right to do that, and I think it would be much in the interests of religious zeal and of religion generally, if that was to take place.

1271. Do you think that that would be in consonance with the feelings of those persons who founded those colleges as places to be under the influence of the Church of England?

There are very few colleges which have been founded by the Church of England. I should be glad to see exceptions made in those particular cases, but I think that is the answer to your question. Our colleges are all but entirely pre-reformation.

1272. Do you consider the Church of England to date from the Reformation?

I cannot regard the Church of England as at once the heir and the antagonist of the Church of Rome.

1273. Lord *Colchester.*] Do I rightly understand that you are in favour of the abolition of all religious restrictions of any kind upon the holding of any office in the University, and that you wish for no declaration of belief as a qualification for holding any degree or office in the University?

I am in favour of doing away with the restrictions imposed by the particular agency of tests.

1274. You would wish for no declaration of opinion to be required?

I wish for no declaration to be required; I do not wish to see a person benefited by professing his faith. But although I am against one particular system of exclusion, I am in favour of allowing of a power of excluding.

1275. You have objected, I think, to some parts of this Bill, mainly on the ground that they were founded on an ante-denominational principle?

I think, if you read the Bill through, you will see (at least, that is what I feel) that that is the general spirit of the Bill; now, the general spirit of a measure like this is, as I am informed by lawyers, that which the judges look to in ruling points or construing such enactments, as these, when a *mandamus* is asked for. I do not wish to be pledged to the word *mandamus*, because, perhaps, a *mandamus* could not be obtained in the case of a person who was passed over for a tutorship; but I mean to say that the spirit of this Bill seems to me to be not the same spirit as that of a Bill which has just passed through both Houses of Parliament; I mean the Education Bill, the spirit of which latter measure I should more or less agree with.

1276. We may say, I suppose, that there are in the nation a large party who are in favour of denominational education?

Yes.

1277. And also a large party who are not?

Yes. There is a large party in the nation, no doubt, and there is a large party amongst those who are in favour of the abolition of tests who are distinctly denominational; I think it is perfectly competent to a person to be strong against the retention of tests, and to be at the same time a strong denominationalist, as I am myself.

1278. And those persons who are very strongly in favour of retaining the hold of the Church of England upon the Universities are at least a very large proportion of those who go or send their sons to the Universities, are they not?

Certainly. A large number of persons who are in favour of the abolition of tests

tests are in favour of their abolition because they think that the Church of England would be the stronger for it, as other institutions have shown themselves to be the stronger when they have been relieved of similar protections.

1279. You also spoke of the Universities as being essentially national institutions?

Yes.

1280. I will only ask this question upon that point; does it not follow that each great party in the nation upon educational matters would have a claim to share in the endowments of the Universities?

Yes.

1281. And that you would have no right to apply the endowments for the benefit of one party or the other exclusively?

Certainly not; I think no person can be in favour of the abolition of tests who is distinctly convinced that it is just and right to retain the emoluments of the Universities for some one specified denomination. There are two things which are confounded in the discussion of this question; the one is the endowment or protection of *some* one section of believers, and the other is the allowing *any* one section to endow or protect itself.

1282. But does not it always come to this, that if the nation is thus divided, the party who wish to retain the exclusive hold of the Church of England upon the Universities, though they may not have the right to the whole of the endowments might have a right to a share of the endowments; and if the Universities be entirely thrown open, their view, which is that of a large part of the nation, will not be represented as regards any of those endowments?

They would certainly be just upon the same footing as any other section of the nation; or rather, they would have the scales heavily weighted in their favour in the struggle.

1283. I speak now of the view taken by the Educational parties; is not it a consequence of the Universities being national institutions that the views of the different parties in the nation should be represented in some portion of them, and that therefore some part of their endowments should be applied to the Church of England strictly; is there any escape from that conclusion?

I do not know of any escape from that conclusion, but I should allow the Church of England to hold what it could, and other sections of Christians to get what they could.

1284. Then that part of the nation which wishes for the restrictive system would not have its view represented in any portion of the University?

They would not have their view represented as to keeping all the place of which they are already possessed; but undoubtedly they would have full scope and play given to them for keeping the lion's share of it, which undoubtedly they would keep. Persons who are in favour of restriction wish the Church of England to hold its own by a certain protective enactment. But other persons can be in favour of the abolition of tests, and at the same time hope and feel convinced that the Church of England will hold its own when tests are abolished.

1285. Would not the adoption of this one uniform system of the abolition of tests, as applicable to all endowments, be in fact giving the ascendancy to those who are in favour of such a measure, over others who are equally a part of the nation, and who have an equal claim to an apportionment of the property of the nation, but who prefer the restrictive system?

I do not see that the abolition of tests is any apportionment of the property; it is simply allowing all sections to have a fair chance of enjoying the common property of the nation by the abolition of a particular plan hitherto followed in that apportionment.

1286. That is, establishing the principle in favour of those who wish for a fair chance to be given to all of getting all the property, and excluding those who wish for an apportionment of the property from any chance whatever, is it not?

I think that the true analogy would be this: at the time the proposals for the repeal of the Corn Laws were made, no doubt many persons thought that the effect would be to upset the Church of England and to abolish the aristocracy; but it was quite possible for a person to be in favour of repealing the Corn Laws

Professor *G. Rolleston*, M.D.

4th August 1870.

who did not hold those opinions, and who saw that in reality it would benefit those two classes which other persons with whom he might be allied at the time might think it would injure. The strict application of a portion of the endowments appears to me to correspond to the protection as modified in the later times of the Corn Laws.

1287. That was not a question of disposing of property, which might be treated as a whole, or divided amongst different parties?

You are touching upon a broad question, namely, whether the law of England does not abhor perpetuities, and I certainly think that a person must hold the affirmative of that before he advocates the abolition of tests, or speaks, as I do, of the divisibility of our endowments.

1288. If the plan were adopted which has sometimes been suggested by which a portion of the endowment should still be subject to tests and a portion should not, that would gratify and comply with the views both of that portion of the nation who wish for open endowments, and who would have open endowments, and for the other portion of the nation who would wish for restricted endowments, and who would have restricted endowments?

I quite see your Lordship's meaning; but with the regard I have to the Church of England, I should be sorry to see it left to rely upon any protective enactment, because I am sure it would impair its efficiency; and I anticipate that the wisdom of Parliament in doing away with protection will do no injury to the real interests of the Church of England.

1289. Do you not think that even if that plan were injurious to the Church, it is the logical carrying out of the principle of the Universities, being national institutions, as long as the nation is divided upon educational matters, as it is at present?

I think it is a mere question of expediency as to plans for the apportionment; there is no question of right in the matter, because nobody could say that the Church would come off with less than its proper share of the endowments if tests were abolished.

1290. To pass on to another matter; do I rightly understand you to say that the seniors have a sort of right at present to be made tutors, which would fetter the college in passing over anyone?

There is no right; but I imagine that without some such discretionary power being given to colleges, a person might feel that he had a grievance, if, indeed, he had not the power of applying for a *mandamus* if he was passed over.

1291. You do not know whether there is any kind of legal claim on the part of the seniors?

There is none, certainly.

1292. Does the clause you suggest really give a college more power for the selection of its tutors than you possess at present?

There is a slight ambiguity in your Lordship's question arising from the last words, "than you possess at present." If you look at the end of Clause 5 of the Government Act you will see that all Ordinances, or a certain set of them, are repealed.

1293. Has not a college a right of selecting its tutors which no Act of Parliament has hitherto either given to it or taken away from it?

Then if your Lordship looks at another clause, where the tutors are all put together with the fellows, I think you will see that there is considerable scope given for speaking of the two as though they stood upon the same basis, which I think they do not, and should not.

1294. The only thing which prevents a college from electing anybody it pleases as a fellow is the modified statutes; there is no law, at present, which requires a college to elect a tutor of particular intellectual qualifications, is there, nor is that done?

The point that I have felt is, that the spirit of the Bill is such as to admit of litigation in the case of a person being passed over for a tutorship. I think the general spirit of the Bill admits of a question being raised upon that. If you say that colleges possess the power already, there is no harm done in stating as much. Pleonasm is not a very great fault (in fact, it often occurs in legislation), in matters of this importance and complexity.

1295. The

1295. The influence of private tutors is very great, is it not, in the University? Certainly.

1296. And no safeguard would be given with regard to them by any such power as there is in the case of a college appointing a tutor?
No; but the same argument might be drawn from the presence of sceptical works in booksellers' shops.

1297. Do you attach any importance to this difference, that the private tutor receives no sort of stamp of authority from anybody, whereas a college tutor does?
Yes, of course that makes a great difference. It is analogous to the case of any literature, like Comte's works, or any others of a sceptical character, lying on a bookseller's table. I would just observe, with reference to what your Lordship has just said, that certain of the colleges have petitioned and obtained the power from Government recently to choose persons for tutors without examination. Now, that does distinctly accept the entire principle of which I have been speaking, because if you elect a person without examination you do not elect him, of course, with reference to intellectual attainments, as an examination is the best way of learning about them; and it is obvious that you do not elect him with reference to corporeal qualifications; therefore it can only be with reference to the moral and religious factors of his nature that these colleges have petitioned for power, and obtained power from Government recently to appoint without examination.

1298. I think the restrictions which at one time existed as to a man taking a private tutor from outside his college have long ago been abolished?
Yes, certainly.

1299. Do you think that the clerical fellowships would be long retained if tests were abolished, or do you think that the same tide of opinion which swept away tests would soon sweep away clerical fellowships also?
I do not think that would happen. If you look round upon the great schools of England, you see that without any tests at all they have clerical heads and clerical masters, and the reasons for that are obvious. The same feeling would, I think, cause a considerable number of tutors always to be in orders.

1300. I mean, would not all legal restrictions requiring them to be in orders soon be swept away as a part of the same principle on which tests are sought to be abolished?
I really have not considered that question, because I am quite sure that a large number of tutors will always remain in orders, on account of the preference which parents would have for having clergymen in places where a religious influence would be very useful.

1301. Do you think that you can draw any line as to what is secular and what is religious in the teaching at the Universities, so as to say that one part is entirely secular and another part is entirely religious?
I should have thought that no large amount of religion was concerned in mathematics, for example.

1302. Are there not a great many secular subjects which scarcely any man of great intellect would consider without touching upon matters having a close bearing upon religion?
Certainly.

1303. And upon which a Comptist, or a member of the Church of England, or a Roman Catholic, would probably take very different views?
Yes.

1304. As to the gentleman you mentioned who had become a Roman Catholic, he had resigned his fellowship, had he not?
He had resigned his fellowship, but still he was a master of arts, and in a particular college.

1305. I did not quite understand what you said about the "gagging" clause?
I should be sorry to pledge myself to the word "gagging," which is perhaps rather a vulgar one, but it expresses the effect of the clause.

Professor *G. Rolleston*, M.D.

4th August 1870.

1306. You stated that a man was very much straitened by not being able to express his real views?
Yes.

1307. Did you not, at the same time, say that you thought it would be considered rather ungentlemanly for a man to express views contrary to the general faith of his hearers?
That is a very natural objection to what I have said, but it applies also to the facts themselves, for you have not always to deal with gentlemen.

1308. With reference to almost all the higher subjects taught at Oxford, a man who has strong religious views of any kind, perhaps rather contrary to those generally received, can hardly, without bringing suspicion upon himself, avoid giving some expression to them, can he?
No.

1309. You think he would give some expression to them, or that he would be suspected of holding them if he did not say the contrary?
Yes.

1310. As to prize fellows; you said that you would desire to give them no share in the government of the college?
Certainly, that would be my feeling; and I should thus justify the greater latitude which I might acquiesce in as to the mode of electing them, like other prizemen.

1311. The income of a prize fellow may depend upon the value of the estates, may it not, though not upon the efficiency of the college?
Yes.

1312. And the good management of the estates may affect his income as a fellow, may it not?
Yes; if his income was fixed at a certain figure, as I should wish it to be.

1313. Do you think that it would be very objectionable to retain any test for the members of governing bodies which you would not retain for prize fellows?
I should not retain that particular machinery of tests, because I do not think it has succeeded.

1314. Do you think it would be equally invidious to retain a test for a governing fellow as for a prize fellow?
I think it is amenable to the great objections which lie against the system of tests. I think if you give power to the colleges to act as we all act in choosing confidential persons, or as the public schools act, you get all the security you really have at present, though you may delude yourself by thinking that you are protected by enactments which crumble when they come to be tested.

1315. You think that the requirement of a test or an oath to be taken is no real safeguard?
I fear not.

1316. *Lord President.*] I think I gather from your evidence, that while you are decidedly favourable to the principle upon which the Bill brought forward this year is founded, you entertain some doubt as to its provisions, and I believe the main provision about which you hesitate is contained in the latter part of Section 5, is it not?
Yes; but I used that latter part of Section 5 just as an illustration of what my meaning was in saying that I wished some overt declaration that the particular Ordinance I referred to did not come under the Ordinances thereby repealed.

1317. Then the omission of the latter part of Section 5 would not altogether satisfy your view of the case?
Not without having a direct re-enactment, either, as my Lord Harrowby suggested, of the old clause, or something like it, or the adoption of a clause resembling what I mentioned as having been put forward, 1219.

1318. Your object in that clause is to make it quite distinct that it would be open

open to the electing body of colleges to have regard to religious considerations in the choice of tutors?

Yes.

1319. You do not wish to apply it to any other office than that of tutor, as I understand?

No, I do not.

1320. And in regard to the office of tutor, you have no wish that any test should be imposed, have you?

Certainly not. I should wish to see another machinery substituted for that of tests. Under the tutors I would include the head, because the head ought to be a larger tutor.

1321. You would apply it both to the case of heads of colleges and to tutors also?

Yes, to all persons connected with the educational working of the society, from heads to lecturers inclusive.

1322. What you ask for then is, that there should be perfect freedom to entertain religious considerations in the election; not that there should be any test or subscription imposed either upon the head or upon the tutors?

Just so. And more than that, I might be perfectly ready to send my own son to a college where a person had been elected as a tutor whose religious opinions differed very widely from my own, if I happened to know that he was a religious man. The fact that a man was in doubt and perplexity as to religious matters would not prevent my placing my son under his care, if I thought he was above the temptation to seduce a younger man from the faith in which he had been brought up. But such men are excluded by tests.

1323. You are afraid that under the Bill, as it now stands, it might not be open to the governing body to take those matters into consideration in their election of tutors or heads?

I think not. I think scope for litigation is given in the Bill as against a college which might do so.

1324. I think you gave it as your opinion that the general spirit of the Bill, as you viewed it, was altogether unfavourable to denominational colleges?

It strikes me so.

1325. And you said, I think, that you founded that opinion upon the ground that judges would look at the whole tone and scope of the Bill in interpreting it?

I am not a lawyer, but it strikes me so in reading it myself; I must say there is no direct provision recognising the possibility of a college making itself denominational, which I think a college ought to have the right to do.

1326. And you do not think that the words either in the preamble of the Bill, or in Clause 4, to which your attention has already been directed, would be sufficient to indicate that it was perfectly open under the Bill to retain denominational colleges?

It has been many times urged upon me that that is the case as your Lordship suggests, but I must say that I have not been able to see it in that light myself; at any rate, if that is the purport of the Bill, why should it not be stated in it expressly?

1327. Do you think that the retention of clerical fellowships has any bearing upon that point?

I really do not think that the subject of the retention of clerical fellowships does touch this question much, because I am filled with the appropriateness of the analogy of the public schools where you do have clergymen in educational posts, and very naturally so. There are many complications which a young man gets into (I do not mean exclusively moral scrapes), in which it is an advantage for him to be *en rapport* with a clerical adviser. I think that that circumstance would keep the heads, or some members of our educational institutions, clergymen, although there were no tests, and no laws for it. Consequently, I think we may safely count upon a large number of clergymen always remaining in the governing bodies of the colleges at Oxford and Cambridge.

 1328. *Chairman.*]

Professor *G. Rolleston*, M.D.

4th August 1870.

1328. *Chairman.*] Whether there are clerical fellowships or not? Whether it is positively enacted that there should be or not. I think, as a matter of fact, the laws of supply and demand, the working of which we have good examples of in the public schools, will secure that laymen do not get an undue preponderance in educational bodies of any kind.

1329. *Lord President.*] Are you, yourself, in favour of clerical fellowships or not?

I certainly should take care that there was a due proportion of clergymen in any college to which I sent a son of my own.

1330. The effect of your evidence may be summed up in this way, may it not. You are distinctly in favour of the abolition of all tests or subscriptions, but you are anxious to retain the utmost possible freedom to colleges in respect of the matters which they should consider in appointing their teaching staff?

Yes, certainly. Especially I would not have religious considerations excluded; I think there is a sort of spirit running through the Government Bill which seems to say that that particular consideration should not be regarded.

1331. You would not allow colleges to impose tests on any one?

No; but there are other means by which religious considerations can be regarded besides that particular machinery which we know as tests.

1332. Duke of *Somerset.*] I did not understand you clearly to say whether or not you would wish to have denominational colleges at the Universities?

I should wish it, and I should be glad to see denominational colleges, and to see colleges adapt themselves to the religious wants of the entire nation.

1333. There is now in different colleges a different complexion of opinion, is there not?

Yes, there is.

1334. And that you would not object to see carried much farther?

No, I would not; I should be glad to see it carried much farther.

1335. And you think that the mode you have indicated, of allowing a college to select certain persons for tutors, with full liberty of selection, would tend towards that denominationalism, do you?

Yes, I think so; I would allow colleges to make themselves denominational at their own cost, if they chose. That is fair and just, and I may say in my own opinion, expedient also for the general interests of the nation and of religion.

1336. I understood you to say also that you would trust to the honour and good feeling of the teachers not to teach anything contrary to the opinions upon the understanding of complying with which they had been selected?

I certainly think that, and I think that is practically the only thing we can really trust to now. It is the only really potent agent at present.

1337. Earl of *Harrowby.*] I think I understood you to desire not only permission to the colleges to choose with respect to the religious qualifications of the tutors, but that it should be held up to them as a duty to keep that in mind as one of the elements of their choice; you would impose upon them an honourable duty not to lose sight of it?

Yes; I should be quite glad that the words I gave in answer to your Lordship's Question, 1219, should be modified so as to include that idea, that it would be their duty to do so as well as that it should be in their power.

1338. Earl of *Powis.*] Is this the clause you referred to in your evidence as having been proposed by Sir Roundell Palmer: "Every person hereafter to be elected or appointed to any professorship in the said Universities, or either of them, or to the office of tutor or lecturer in any college within the same, shall, before he be deemed capable of entering upon or discharging the duties of such

such office, or entitled to receive emoluments thereof, make and subscribe before the Vice Chancellor of the University, or before the head or other chief Governor of his college (as the case may be), the declaration following:—' I, A. B., do solemnly and sincerely declare that as (here describe his office), and in the discharge of the said office, I will never endeavour, directly or indirectly, to teach or inculcate any opinion opposed to the Divine authority of the Holy Scriptures, or to the doctrine or discipline of the Church of England as by law established '" ?

Professor G. *Rolleston*, M D.

4th August 1870.

It is.

The Witness is directed to withdraw.

APPENDIX.

RETURN

FROM THE HEAD OF EACH COLLEGE IN OXFORD AND CAMBRIDGE.

RETURN FROM THE HEAD OF EACH COLLEGE IN OXFORD AND CAMBRIDGE.

RETURN FROM THE HEAD OF EACH COLLEGE OF OXFORD UNIVERSITY.

NAME OF COLLEGE OR HALL.	Whether the Head of the College or Hall is compelled to be in Holy Orders?	What is the Number of Fellows?	How many are habitually Resident?	How many hold College Offices?	How many are required, either at Time of Election or at any future Time, to take Orders, or to proceed to Divinity Degrees?	How many Livings are in the Gift of the College?	How many Livings above, and how many below, the Limit of Value compatible with a Fellowship have fallen Vacant since 1st July 1865?
UNIVERSITY COLLEGE (signed) *Fredk. Chas. Plumptre*, D.D., Master.	The Master is required to be in Holy Orders at the time of his election.	The total number of Fellows is 13, viz.: 12 on the old foundation, but one of these Fellowships is for the present suspended; and one, the Stowell Civil Law Fellowship, is tenable for only seven years, and the value is only 120 *l.* per annum.	Usually five or six	Usually six or seven, of whom usually three are College Tutors, and three or four Lecturers.	Four are required by a recent Ordinance to be in Holy Orders at the time of their election.	Ten Livings; but one of these is to be offered in the first instance to those who have been Exhibitioners on Mr. Gunsley's Foundation.	Only one Living became vacant since 1865. The value was not compatible with a Fellowship, and the Fellow who was presented to it resigned his Fellowship.
BALLIOL COLLEGE (signed) *Edward C. Woolcombe*, M.A., Senior Fellow. (The Mastership of the College being vacant.)	He is	Eleven	1869, 1870, only two, one from *illness*; 1868, 1869, only three from illness. The majority of the Fellows have for six years resided.	Six	There must be by the *present* Constitution of the College (*i.e.* since the Act of 1854), four Fellows in Holy Orders of the Church of England.	Seventeen; and of two more, the College has (1) alternate presentation, (2) one in every three turns.	One above the limit, certainly one below. Two others have fallen vacant, to which actual Fellows have not been presented, and of the exact value of which I cannot speak decidedly.
MERTON COLLEGE (signed) *Robert Bullock Marsham*, Warden.	No	Twenty-four; at present three vacancies.	One; and another, a Colonial Bishop, who bestows great labour and more than the produce of his Fellowship on his Diocese.	Eight	A moiety	Fourteen, with an alternate presentation to one.	None above, and one below the limit mentioned.
EXETER COLLEGE (signed) *J. P. Lightfoot*, Rector.	He must be a "Priest" of the Church of England.	Fifteen; by Statute	Four are habitually non-resident; one more has been non-resident during the past year, who will, I believe, return into residence; and one other is going out of residence.	Nine have held College offices during the past year, the Lecturers being included.	"Any Fellow who shall not, within 15 years from the day of his election as a Probationer, have taken Holy Orders shall *ipso facto* vacate his Fellowship;" exceptions, however are made in favour of those who at the expiration of 15 years are engaged as Tutors or Lecturers in the College, who may retain their Fellowships while so engaged, but no longer, without the above obligation; as also in favour of those who for 10 academic years have been engaged in the College as Tutors or Lecturers.	Sixteen Livings, including one annexed to the Headship; the Dean and Chapter of Exeter, however, nominate to one of these Livings a man who is, or has been, a Fellow of Exeter College, and the College presents.	One only, but this twice; once by death, and once by resignation.
ORIEL COLLEGE (signed) *Edward Hawkins*, Provost.	Certainly he must be in Holy Orders so long as the Act of Parliament annexing a Canonry of Rochester to the Provostship is unrepealed; but I believe that he ought to be in Holy Orders under the original College Statutes of 1326, and with the exception of one somewhat doubtful instance, the Provosts of Oriel have all been in Holy Orders from 1326 to 1870.	At present 16; besides the Regius Professor of Modern History, who is a supernumerary Fellow; but the normal number will be 17.	Nine of the 16	Four	Five out of the normal number of 17, under the College Ordinance of 1857.	Twelve; besides one annexed to the Provostship, and one to which the Provost is to present a Bible Clerk.	Two above and one below that value.
QUEEN'S COLLEGE (signed) *Wm. Jackson*, D.D., Provost.	He is; the Statutes say that the Provost must be "a Priest of the United Church of England and Ireland."	Nineteen	Nine	Nine	Nine at least are required to be in Holy Orders; "if not so when elected, they are required (by statute) to make a Declaration that they will take Holy Orders within three years of the time of their election (or, if not of age for Orders, one year after they are of sufficient age), or in default thereof vacate their Fellowship." Not required to proceed to Divinity Degrees.	Twenty-nine, in all	Of the 13 Livings which have fallen vacant since 1865, 12 were above and one below the limit of value compatible with a Fellowship.
NEW COLLEGE (signed) *J. R. Sewell*, Warden.	Yes	The Fellowships are 40 in number, but five may be suspended to constitute open Scholarships. One of the five has already been suspended for this purpose.	The number varies; at present 29 of the Fellows are non-resident.	Eight or nine of those who reside	None	Forty	Two above the limit, none below the limit of value.

RETURN FROM THE HEAD OF EACH

NAME OF COLLEGE OR HALL.	Whether the Head of the College or Hall is compelled to be in Holy Orders?	What is the Number of Fellows?	How many are habitually Absent
LINCOLN COLLEGE (signed) *Mark Pattison*, Rector.	By the Statutes of the College the Head must be in Holy Orders.	Ten	Four or five
ALL SOULS COLLEGE	(No Return received before the Prorogation of Parliament.)		
MAGDALEN COLLEGE (signed) *Frederic Bulling*, D.D., President.	"The electors shall choose the person (being a Master of Arts, or a Doctor in Theology, Law, or Medicine, and otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit," &c. College Ordinance, clause 17.	Thirty; 10 Fellowships having been "suspended" under the College Ordinance.	About half the number. In 1869 six Fellows resided over 40 weeks; seven, over 20 and under 30 weeks; two, over 15 and under 20 weeks.
BRASENOSE COLLEGE (signed) *E. H. Cradock*, Principal.	Yes	The full number is 15; but two are suspended by direction of the Visitor for an unexpired period of about six years. There are also two vacancies.	Three are non-resident, besides whom, one having accepted a Living, is in his Year of Grace, and has recently ceased to reside.
CORPUS CHRISTI COLLEGE (signed) *James Norris*, President.	Yes	Twenty, including two Professor Fellows.	Of the 18, scarcely one-half
CHRISTCHURCH COLLEGE (signed) *Henry George Liddell*, Dean.	As Dean of a Cathedral Church, the Dean of Christchurch is compelled to be in Orders.	The full complement of Senior Students (equivalent to Fellows) is by the Commissioners' Ordinance to be 29. There are at present 17 on the New Foundation, besides 21 on the Old Foundation.	Fourteen on the Old Foundation, two on the New Foundation.
TRINITY COLLEGE (signed) *S. W. Wayte*, President.	He is compelled to be in Holy Orders.	Twelve; but one Fellowship of the 12 is at present suspended.	Six are habitually absent
ST. JOHN'S COLLEGE (signed) *P. Wynter*, President.	Yes	The present number of Fellows, under the Old Constitution, is 27, and under the New, four; but the number will eventually be reduced, by the operation of the Ordinance, to 16.	Of the 27, 15 are usually absent; of the four, two.
JESUS COLLEGE (signed) *Charles Williams*, D.D., Principal.	The Principal is not compelled to be in Holy Orders, and in the 17th century there were Lay Principals; since that the Headship has been endowed with Rectories, tenable only by a clergyman.	Thirteen is to be the number; there are now 14.	Five

COLLEGE OF OXFORD UNIVERSITY—*continued.*

How many hold College Offices?	How many are required, either at Time of Election or at any future Time, to take Orders, or to proceed to Divinity Degrees?	How many Livings are in the Gift of the College?	How many Livings above, and how many below, the Limit of Value compatible with a Fellowship have fallen Vacant since 1st July 1865?
Three	Of 10 Fellows, two may remain lay during their whole tenure. The rest must take Holy Orders at the end of 10 years from election.	Six	One above.
Ten	To take Orders, 20. None are required by the Ordinance to proceed to Divinity Degrees.	Forty-two	Above the limit of value, nine; below the limit, none.
Seven; in fact, all who are in residence. ("Offices" being understood to include College Lectureships.)	Six out of the full number of 15 (*see* above) must be in Holy Orders at the time of their election, or within a short limited period afterwards.	Twenty-one and a Lectureship, and an alternate presentation under certain limitations, which would exclude nearly all the present Fellows.	Two certainly above the limit; one doubtfully; it was not accepted by a Fellow.
There are three offices, viz., those of Vice President, Dean, and Bursar; these are not necessarily held distinct. Six Fellows are at present occupied in the tuition of the College as Tutors or Lecturers.	Six	Twenty-two	Five Livings have fallen vacant since July 1865; all are above the value compatible with a Fellowship. A Statute of the College enacts that the acceptance by a Fellow of any Living in the Gift of the College, of whatever value, shall vacate his Fellowship.
Two on the Old Foundation, 10 on the New Foundation (two being yet B.A.'s, and are not yet employed in College work.) In "College Offices" I include Tutorships.	On the Old Foundation, all when they come within the first 20; on the New Foundation (when complete) 19 out of 29.	Ninety four	Fourteen Livings in all, three of which are usually tenable with a Studentship. There is no money limit to Livings tenable with Studentships. Under the Ordinance the Governing Body have power to decide, from time to time, whether a Living shall or shall not vacate the Studentship.
Four hold College offices	Four Fellowships must always be held by persons either in Holy Orders or who have declared that they will take Holy Orders; any person who has made such declaration must take Holy Orders within two years. Fellows are not required to proceed to Divinity Degrees.	Nine Livings, including that to which the President was presented, as President.	Two Livings above the limit of value compatible with a Fellowship; none below that value.
Under the Old Constitution, seven; hold College offices under the New, two.	All who are not Law Fellows are required to take Orders under the Old Constitution, viz., all but 12; under the New, one-third may be Laymen.	Thirty-four Livings are in the gift of the College, bequeathed or acquired, when the number of Fellows amounted to 50.	Five above the value, and one below, have fallen since 1st July 1865.
Eight	Nine out of the 13 are required to take Orders.	Twenty	Five, tenable with Fellowships; three not tenable.

RETURN FROM THE HEAD OF EACH COLLEGE OF OXFORD UNIVERSITY—*continued.*

NAME OF COLLEGE OR HALL.	Whether the Head of the College or Hall is compelled to be in Holy Orders?	What is the Number of Fellows?	How many are habitually Absent?	How many hold College Offices?	How many are required, either at Time of Election or at any future Time, to take Orders, or to proceed to Divinity Degrees?	How many Livings are in the Gift of the College?	How many Livings above, and how many below, the Limit of Value compatible with a Fellowship have fallen Vacant since 1st July 1865?
WADHAM COLLEGE (signed) *B. V. Symons*, Warden.	Yes, and by an explicit and most stringent Statute of the Founders, the Warden is required to be at the time of election a D.D., and therefore necessarily in Holy Orders, or he must become so within a year. Should he fail, he must cease to be Warden. "*Statuo ut ce amoto aliius in ejus locum subrogitur.*"	Fourteen; one (15th) having been put in abeyance by the Royal Commissioners, 1857 (17 & 18 Vict. c. 81), and the College called upon to pay annually 200 *l.* to the Professor of Experimental Philosophy.	Seven	Three "College Officers," strictly. Two other are College Lecturers.	At the time of election hitherto, none; and the Statute requires none at any time.	Twelve	Two above and one below the limit.
PEMBROKE COLLEGE (signed) *S. Evans*, Master.	He is not by the Statutes, but the annexation of a Canonry in Gloucester Cathedral by Queen Anne to the Mastership practically imposes this condition.	Ten at present	Five	Four	By the Ordinance; as long as the number of Fellows altogether does not exceed 12, at least five must be in Orders. The Statute requiring certain Fellows to graduate in Divinity has been abolished by the Ordinance.	Seven	One above such value; not one below it.
WORCESTER COLLEGE (signed) *R. L. Cotton*, Provost.	In the original Statutes of the College all the Fellows must take Holy Orders, and the Provost must be selected either from the Fellows, or those who have been Fellows, and therefore be in Holy Orders.	There are at present 16 Fellows, but three of the Fellowships now existing are to be suppressed.	Eleven	There are three College Officers and three Tutors, but the same Fellow may hold a College Office and be Tutor. There are also Lecturers in Divinity, Mathematics and Law, and Modern History.	One-third of the Fellows may be Laymen.	Ten	One Living only, and that of value compatible with a Fellowship has fallen vacant since 1st July 1865.
ST. MARY HALL (signed) *D. P. Chase*, Principal.	No	There are no Fellows, no Livings. The Head of a Hall is not even a Corporation sole. All property is held by "the Chancellor, Masters, and Scholars of the University of Oxford," in trust for the Hall.					
MAGDALEN HALL (signed) *R. Michell*, D.D., Principal.	No; the last Head (the late Dr. Macbride) was a Layman, and held the Headship from 1813 to 1808.	There are no Fellows				There is one Living only, which is now held by the Principal. He wishes it to be sold, and the money to be applied to the creation of Scholarships, bearing the name of the donor of the Living; the Living is of the value of 199 *l.* per annum, and the present Rector has generally given his Curate 120 *l.* per annum and the house.	
NEW INN HALL (signed) *H. H. Cooniish*, D.D., Principal.	No	None				None.	
ST. EDMUND HALL (signed) *Edward Moore*, Principal.	Practically so, because the only certain endowment is in the form of a Living (Gatcombe Rectory, Isle of Wight). I am not aware of any statutable necessity for his being in Holy Orders.	None				None.	
ST. ALBAN HALL (signed) *Wm. Charles Salter*, M.A., Principal.	I believe not; but being at present without means of reference, I cannot answer with absolute certainty.	There are none				None.	

RETURN FROM THE HEAD OF EACH COLLEGE IN CAMBRIDGE UNIVERSITY.

NAME OF COLLEGE OR HALL.	Whether the Head of the College or Hall is compelled to be in Holy Orders?	What is the Number of Fellows?	How many are habitually Absent?	How many hold College Offices?	How many are required, either at Time of Election or at any future Time, to take Orders, or to proceed to Divinity Degrees?	How many Livings are in the Gift of the College?	How many Livings above, and how many below, the Limit of Value compatible with a Fellowship have fallen Vacant since 1st July 1865?
ST. PETER'S COLLEGE (signed) *H. W. Cookson*, Master.	He is not	Fourteen; three Fellowships are now vacant.	Eight	Three	Three, at least, of the Fellows are required to be in Holy Orders; and of these at least two in Priest's Orders. None are required to take Divinity Degrees.	Ten	Two above and one below.
CLARE COLLEGE (signed) *Edward Atkinson*, Master.	He is not	Eighteen	About 11 or 12	Five	One-third of the whole number of Fellows is required to be in Holy Orders; if at any election less than one-third of the Fellows are in Holy Orders, and if this has been the case for six months previous to the election, no person can be elected Fellow who is not in Holy Orders. No Fellow is required to proceed to Divinity Degrees.	Eighteen	Three Livings above } The limit of value compatible with a Fellowship. One " below }
PEMBROKE COLLEGE (signed) *J. Power*, Master.	He is not compelled to be in Holy Orders.	The number of Fellowships is 13, of which one is now vacant.	During the last few years seven Fellows have, on the average, been in residence, and five or six absent from the University.	Five of the residents have held College Offices, and two are University Professors.	Four of the Fellows must be in Holy Orders; if at any time there be less than this number, the next election must be of one who is already in Orders, or who is about to take Orders immediately. No Fellows are required to proceed to Divinity Degrees.	Twelve; but in the case of two of these there is a preference to the descendants of the person by whom the advowsons were given to the College.	No College Living can be held with a Fellowship unless at the time of presentation special permission by a majority of the whole society. Only one Living has fallen vacant since 1st July 1865; the Fellow presented to this has vacated his Fellowship.
GONVILLE AND CAIUS COLLEGE (signed) *Edwin Guest*, LL.D., Master.	No	Till lately the number was 31, but a few months ago a supernumerary Fellow was elected, and the number is at present 32.	About 20 are non-resident	Ten: Tutors, two, who also lecture; Lecturers, five; Bursar, one; Dean, one; Librarian, one.	None	Till lately there were 18 College Incumbents, but one Living has been disposed of, so that at present there are but 17 Incumbents.	Only one, and that below the limit. No Member of the College would take the Living, and it was filled up by the Bishop.
TRINITY HALL (signed) *T. C. Geldart*, LL.D., Master.	No. The head of the College has for many generations been a Layman.	Thirteen: of these, 10 are designed for persons studying for or practising at the Bar; and three for persons in Holy Orders, to whom is entrusted the tuition of the College, and the duties of the College Chapel.	The 10 Lay Fellows	Four	The three Clerical Fellows mentioned above; but the governing body may, in special cases, dispense with their taking Orders.	Six	One only, St. Edward's, Cambridge, unendowed; it has been vacant since 1865.
CORPUS CHRISTI COLLEGE (signed) *J. Pulling*, D.D., Master.	Yes	Twelve	Two	Seven (including Tutor and Lecturers).	Eight are required to take Orders within three years of election.	Ten	Two above, none below.
KING'S COLLEGE (signed) *Richard Okes*, Provost.	No	The present number is 52, which must at no time be reduced below the number of 46.	It is easier to answer that the average number of Fellows habitually resident is 10.	Six	None	Thirty-one, besides which the College has the alternate presentation to one Living and six Curacies (or Vicarages), to which the Provost and Fellows (or Scholars), as original grantees from the Founder (Henry VI.), of the Rectorial and Vicarial Tithes in "frank almoyne," necessarily appoint and maintain Curates.	Five above and one below the limit of value compatible with a Fellowship, have fallen vacant since 1st July 1865.
QUEEN'S COLLEGE (signed) *Geo. Phillips*, D.D., President.	The Statute is: "In officium presidentis statuimus quod nemo nisi sacerdos eligatur. Siquando vero regiæ majestati licentiem dare visum fuerit, duabus partibus sociarum tam presentium quam absentium talem licentiam petentibus, tum bicum eligi permittimus."	Thirteen; one Fellowship is vacant.	Nine	Three	If a Fellow be not in Holy Orders two years after the standing of his M.A., the tenure of his Fellowship will cease ten years after M.A. He is not required to take a Divinity Degree.	Eleven	One living above the limit of value compatible with a Fellowship has fallen vacant since 1st July 1865, but not any below the limit.

RETURN FROM THE HEAD OF EACH COLLEGE IN CAMBRIDGE UNIVERSITY—*continued.*

NAME OF COLLEGE OR HALL.	Whether the Head of the College or Hall is compelled to be in Holy Orders?	What is the Number of Fellows?	How many are habitually Absent?	How many hold College Offices?	How many are required, either at Time of Election or at any future Time, to take Orders, or to proceed to Divinity Degrees?	How many Livings are in the Gift of the College?	How many Livings above, and how many below, the Limit of Value compatible with a Fellowship have fallen Vacant since 1st July 1865.
ST. CATHARINE'S COLLEGE - (signed) *C. R. Robinson*, Master.	The Head of the College must be, before his election, in Holy Orders and a Priest.	Nine - - - - -	An average number of five -	Three or Four - - - -	Three are required to take Orders -	Four - - - - -	One.
JESUS COLLEGE - - - - (signed) *G. E. Corrie*, Master.	The Degree required to be taken by the Head implies his being in Holy Orders, and no person not in Holy Orders has hitherto been Head of Jesus College.	Sixteen - - - - -	Nine (one Fellow is absent in consequence of bad health).	All who are resident, either as College Officers properly so-called, or as assistant Tutors and Lecturers.	Six - - - - - - -	Sixteen - - - - -	None.
CHRIST'S COLLEGE - - - (signed) *James Cartmell*, Master.	The Head of Christ's College must be in Holy Orders.	Fifteen - - - - -	During the last Academical year, eight have been non-resident.	Five - - - - -	Five may be permanently Laymen. Each of the other 10 Fellows is required to be in Holy Orders within six years after he is of standing to proceed to the Degree of Master of Arts.	Fourteen Benefices and two Curacies.	Three Livings in the patronage of the College above the limit of value compatible with a Fellowship have fallen vacant since 1st July 1865. No Living below such limit of value has fallen vacant in the same interval.
ST. JOHN'S COLLEGE - - - (signed) *W. H. Bateson*, D.D., Master.	He is compelled - - - -	Fifty-six - - - - -	About half - - - - -	Seventeen - - - -	All Fellows vacate their Fellowships at the end of seven years from M. A. Degree, if they are not in Holy Orders, or, being Laymen, if they are not College Lecturers, Tutors, Senior Bursar of the College or Public Orator, Librarian or Registrar in the University; or being out of Office have not held such Offices for 10 years continuously. Divinity Degrees are not required.	Fifty-one - - - -	Six above and one below the limit.
MAGDALENE - - - - - (signed) *L. Neville*, Master.	Yes - - - - - - -	At present five; to be increased hereafter to eight.	One - - - - - -	At present three - - -	Two, at least - - - - -	Seven - - - - - -	One above and below.
TRINITY COLLEGE - - - -	(*No* Return received before the Prorogation of Parliament.)						
EMMANUEL COLLEGE - - - *George Archdall Gratwicke*, Master.	Yes - - - - - - -	Twelve - - - - -	The number varies from time to time; during the last year eight have been resident.	Seven of these have held office of some sort or other.	Four of the Fellows at least are required by the Statutes to be in Priest's Orders. No Divinity Degree is necessary.	Sixteen absolutely, and seven others alternately.	Two above; none below.
SIDNEY SUSSEX COLLEGE - - (signed) *Robert Phelps*, D.D., Master.	He must be in Priest's Orders -	Nine - - - - -	Three - - - - -	Four; but the others are also employed as Lecturers by the Tutor.	None are required to take Orders at the time of election. If, on the occurrence of a vacancy, there are less than half the number of Fellows in Holy Orders, the person elected must either be already in Orders, or engage to be ordained within three years.	Seven - - - - -	Two above the limit, one of which had been held 49 years, and the other 27 years.
DOWNING COLLEGE - - - (signed) *Thos. Worsley*, D.D., Master.	"The Master shall be a Member of the Church of England, but shall not be required to be in Holy Orders," stat. 2.	There must be at least eight Fellows when the number is completed.* Six of these have been already elected, and the full number of eight will be completed in November 1870.	Of the present six Fellows two are both statutably and actually Resident Fellows, and of the remaining four, who are statutably Non-Resident Fellows, two are habitually resident: one in the town of Cambridge as a practising Physician, as (at present) Librarian to the College, and also as (at present) Deputy to the Downing Professor of Medicine; the other in college as College Lecturer in Medicine and Natural Science. The other two are not habitually absent, inasmuch as they both attend at the annual Audit, and take part occasionally in College Examinations and business.	Three hold statutable College offices; one holds a College Lectureship.	Of the two Fellows, who (out of the entire number of eight) must be Resident Fellows, for Tuition, one at least must be a Clerk in Holy Orders, or if not so at the time of his election, must enter into Holy Orders within six months of that time. There is no requirement as to Divinity Degrees.	Two small ones adjacent to each other.	No College Living has fallen vacant since 1st July 1865.

* The two Downing Professors of Law and Medicine though University Professors, have their Stipends and Residences supplied by the College, are subject to the same Laws of Residence as its Resident Fellows, and are Members of its governing body.

Brought from the Lords, 21 April 1871.

FIRST

REPORT

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON

UNIVERSITY TESTS;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Session 1871.

Ordered, by The House of Commons, *to be Printed.*
24 *April* 1871.

179—I.

FIRST REPORT - - - - - - - - - - p. iii

MINUTES OF EVIDENCE - - - - - - - - p. 1

APPENDIX - - - - - - - - - - - p. 335

FIRST REPORT.

BY THE SELECT COMMITTEE appointed to inquire into the best Mode of providing proper Safeguards for the Maintenance of Religious Instruction and Worship, and for the Religious Character of the Education given in the Universities and the Colleges thereof, in any measure for enabling Persons not now eligible to hold offices therein.

ORDERED TO REPORT,

THAT the Committee have met, and have proceeded with the consideration of the subject-matter referred to them, and have examined several Witnesses in relation thereto, and have directed the Minutes of Evidence taken before them, together with an Appendix thereto, to be laid before your Lordships.

ORDER OF REFERENCE.

Die Lunæ, 13° *Februarii*, 1871.

UNIVERSITIES OF OXFORD, CAMBRIDGE, AND DURHAM.

Moved, That a Select Committee be appointed to inquire into the best mode of providing proper safeguards for the maintenance of religious instruction and worship, and for the religious character of the education given in the said Universities and the Colleges and Halls thereof, in any measure for enabling persons not now eligible to hold offices therein. Agreed to (The Marquess of *Salisbury*): The Committee to be named To-morrow.

Die Martis, 14° *Februarii*, 1871.

UNIVERSITY TESTS.

Select Committee on: The Lords following were named of the Committee to inquire into the best mode of providing proper safeguards for the maintenance of religious instruction and worship, and for the religious character of the education given in the Universities and the Colleges thereof, in any measure for enabling persons not now eligible to hold offices therein: The Committee to meet on Friday next at Three o'clock, and to appoint their own Chairman:

Archbishop of York.
Lord President.
Duke of Somerset.
Duke of Marlborough.
Marquess of Salisbury.
Earl Cowper.
Earl Stanhope.
Earl of Carnarvon.
Earl of Powis.
Earl of Harrowby.
Earl of Morley.
Earl Beauchamp.
Earl Kimberley.
Bishop of Gloucester and Bristol.
Lord Colchester.
Lord Rosebery.
Lord Stanley of Alderley.
Lord Lyveden.
Lord Houghton.
Lord Hartismere.

Die Veneris, 17° *Februarii*, 1871.

The evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House; but no copies thereof to be delivered, except to Members of the Committee, until further order.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Die Martis, 21° *Februarii*, 1871.

PAGE

The Very Reverend Robert Scott, D.D., Dean of Rochester - - - - 3

Die Veneris, 24° *Februarii*, 1871.

The Reverend H. W. Cookson, D.D. - - - - - - - - - - 19
Professor George Gabriel Stokes - - - - - - - - - - 31
Mr. Charles Appleton - - - - - - - - - - - 43

Die Martis, 28° *Februarii*, 1871.

The Reverend Henry Parry Lidden, D.D. - - - - - - - - - 61
The Very Reverend Henry Longueville Mansel, D.D., Dean of St. Paul's - - 83

Die Veneris, 3° *Martii*, 1871.

The Reverend William Hepworth Thompson, D.D. - - - - - - 101
Mr. Charles Neate - - - - - - - - - - - - 119
Mr. Numa Edward Hartog - - - - - - - - - - 131

Die Martis, 7° *Martii*, 1871.

The Reverend Joseph Angus, D.D. - - - - - - - - - 139
Mr. Charles Savile Roundell - - - - - - - - - - 151
Mr. Charles Appleton - - - - - - - - - - - 168

Die Veneris, 10° *Martii*, 1871.

The Reverend William Ince - - - - - - - - - - 173
The Reverend William Magan Campion, D.D. - - - - - - - 191
The Reverend Edward C. Woollcombe - - - - - - - - 204

Die Martis, 14° *Martii*, 1871.

Thomas Waraker, Esq., LL.D. - - - - - - - - - - 215
The Reverend Francis Knyvett Leighton, D.D. - - - - - - 228
The Reverend Henry Allon - - - - - - - - - - 241

Die Veneris, 17° *Martii*, 1871.

Charles Reed, Esq., M.P. - - - - - - - - - - 255
The Reverend William Henry Bateson, D.D. - - - - - - - 274
The Reverend Edward Atkinson, D.D. - - - - - - - - 283

Die Martis, 21° *Martii*, 1871.

Mr. Henry Strange Hume - - - - - - - - - - 293
The Reverend Benjamin Jowett - - - - - - - - - 293
The Reverend Alexander Raleigh, D.D. - - - - - - - - 317
The Reverend John Stoughton, D.D. - - - - - - - - 325

Die Martis, 21° Februarii, 1871.

LORDS PRESENT:

Duke of SOMERSET.	Lord COLCHESTER.
Marquess of SALISBURY.	Lord ROSEBERY.
Earl STANHOPE.	Lord LYVEDEN.
Earl of HARROWBY.	Lord HOUGHTON.
Bishop of GLOUCESTER and BRISTOL.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

The VERY REVEREND ROBERT SCOTT, D.D., DEAN of ROCHESTER, is called in; and Examined, as follows:

Rev. *R. Scott*, D.D.

21st Feb. 1871

1. *Chairman.*] YOU were Master of Balliol College for many years, I believe?
I was Master of Balliol for about 16 years.

2. You are of course acquainted with the provisions of the Bill which is now before Parliament, and which was before this House last year?
I made myself acquainted with them last year. I believe the present Bill is the same as that of last year.

3. What is your opinion with reference to the power of the head of the college in governing the course of education as to moral and religious questions?
Theoretically it is very great; in practice, in consequence of the perfect freedom of determining everything by a majority of votes in the college meeting, it is very much less than it used to be.

4. Who appoints the tutors?
The head of the college appoints the tutors.

5. Purely by his own authority, or subject to any appeal to the college meeting?
Subject to no appeal to the college meeting; but he has not the command of the fund from which they are paid, without being associated with the college meeting.

6. He is in the position of a constitutional monarch; the power of the purse resides elsewhere?
Yes, exactly.

7. Do you mean to say, then, that if a tutor whom he appointed was unpleasing to the college meeting they could entirely deprive that tutor of remuneration?
How far they would carry their opposition in an extreme case I cannot say; but they seem to have the power; and I have known an instance where it was intimated to the head of a college that that power might be exercised.

8. Is the allowance derived chiefly by assignment from the funds of the college, or from the payments of pupils?
From the payments of pupils.

Rev. *R. Scott*, D.D.
21st Feb. 1871.

9. But it lies with the college meeting to determine whether any or what part of those payments shall go to the general service of the college?
If it is not so, it is in the power, I believe, of the college meeting to vote that it shall be so.

10. You say that there was an instance in which it was intimated to the head of a college that the college meeting would use its power of refusing funds if a certain appointment was made?
I beg your Lordship's pardon; I did not say "would," but "might."

11. Which, I suppose, meant that the person who intimated it would do his best to induce the college meeting to take that course?
I should infer so; on an emergency.

12. Without further enquiring as to the place or time when such a thing occurred, will you inform the Committee whether the objection was on the ground of the opinions of the person proposed to be appointed?
It was an abstract question; it was not with reference to any individual. It was a statement of the power without reference to its being exercised in the case of any individual.

13. But I suppose it was intended to warn the particular head to whom it was addressed, from some course of action which he was assumed to be then contemplating?
I do not think it was; I think it arose out of conversation on those subjects generally, in the course of a college meeting.

14. But practically you would be of opinion that such a power would act as a trammel upon the head, restricting him from making appointments that would be distasteful to the majority of the fellows?
Undoubtedly; and I might add that there are other trammels too, such as the necessity for the body of tutors and lecturers working harmoniously together, and the relations between the head and the fellows generally, which would make it very difficult for any head to exercise his choice with entire freedom.

15. Must the tutor be a member of the college?
Not necessarily.

16. In practice he is almost always so, is he not?
Yes, generally.

17. It would be accounted to be rather a confession of poverty on the part of a college if they went outside their walls, would it not?
Of late years there have been some instances of it, but I do not know exactly what the circumstances have been; they were not in my own college.

18. But the result of your experience is that the college meeting takes great interest in the appointments of tutors, and to a considerable extent controls them?
I think so; and at Balliol the college meeting elects the "Lecturers."

19. I suppose that that control would extend to a selection of the tinge of opinion which should distinguish the tutors in respect to any abstract subjects that might be violently agitated at the time?
I am not prepared to say that. Unless it was suspected that the head was acting with a view to modify opinion in the college, I should scarcely think it would go so far.

20. Coming to particulars, should you esteem the fact of the head being a member of any particular religious community to be, supposing all other hindrances away, any guarantee for the opinions of the tutors of that college?
In favour of that, there would be whatever personal influence the head might have; there would be the double vote on the part of the head; and there would be generally speaking a disposition on both sides to act fairly with one another; but still, in extreme cases, I have no doubt that the vote of the college meetings, if carried by a decided majority, would in the end preponderate.

21. The master is chosen by the college meeting also, is he not?
He is, except in the case of one college in Oxford.

22. Has

22. Has the master any special power with reference to the chapel?
To a certain extent; but there also he is liable I think, practically, to be overruled by a vote of the college where they thought it important to interfere.

23. Is the college meeting omnipotent in respect to the chapel?
The only limits to its power, I think, would be those which the visitor might point out upon appeal. He might say that in certain things they had overstepped their functions.

24. But setting aside the statutes of the college and the statutes of the realm, there is no other limit to the power of the college meeting over the chapel services?
There are certain words in the University Reform Act, which perhaps might have some effect upon the question, but I cannot charge my memory with the particulars.

25. Supposing a scheme was started for making the college service, as it would be phrased, "inoffensive" to any body of religionists, would the college meeting have the power of carrying out such a view, assuming of course that the Act of Uniformity had ceased to operate?
Yes, I believe it would. The head, if he objected, or any number of objectors would have the right of appeal to the visitor, and it would be for him to say whether the college had exceeded their powers.

26. The visitor, of course, could only be guided by the college statutes?
Yes, only by them.

27. The college statutes can be altered by the consent of the college, and of any other body?
There is a legal question of some difficulty with reference to that; one clause of the University Act speaks of a certain majority (two-thirds, I think it is, or three-fourths) being necessary, with the consent of the Visitor; another speaks of the consent of the Queen in Council. It is questioned whether both these conditions apply to all cases, or whether one applies to some and the other to others.

28. Who is the Visitor of Balliol College?
At present the Bishop of London; he is not so officially; Balliol elects its Visitor.

29. The college meeting elects its Visitor?
Yes; but that is the only case in Oxford of the kind.

30. So that it stands thus, that the college choose the only person who could hinder them from doing what they liked with the chapel?
Yes.

31. Can they make any person their Visitor?
I think so.

32. There is no restriction as to holy orders or the like?
I believe that there is nothing to make it incompetent for a layman to be elected. In three cases the Crown is Visitor: the Chancellor of the University is Visitor of Pembroke College; and the Earl of Pembroke is hereditary Visitor of Jesus College.

33. Earl *Stanhope.*] Who was the last Visitor before the Bishop of London?
Bishop Kaye, of Lincoln.

34. *Chairman.*] I presume it is the Bishop of London individually, not officially, who is the Visitor?
Individually.

35. Has the head the power of directing the course of lectures in the college?
In theory, again, he has: but it would be very difficult for him to interfere much with the discretion of the tutors on the subject.

36. Who assigns the pupils to the different tutors?
That is done differently in different colleges; in my own college it is a matter

Rev. *R. Scott*, D.D. 21st Feb. 1871.

of private arrangement among the tutors themselves. I may say that the emoluments of the tutors do not depend upon the assignment of the pupils; the tuition fees are paid to a common fund, and the tutors and most of the lecturers are paid out of that fund.

37. But supposing that there are in any college, Theological or Divinity lectures (I believe there are some in Balliol), who appoints the person who is to deliver them?

There is what is called a catechetic lecture in Balliol, delivered in chapel on Sunday evenings, on a separate foundation, which is in the appointment of the master: and it has been ruled that this is more independent of the college meeting than the other appointments.

38. Is there not a practice in Balliol of giving lectures preliminary to the Sacrament?

When I was tutor that was done regularly by all the tutors; up to the last portion of my connection with the college it was still continued by some, but not, I believe, by all.

39. Of course there is no question of control upon the character of that lecture?

None whatever; it is a private matter in the tutor's own room.

40. The head has no power of removing a tutor, has he?

I should rather not answer; I am not clear as to the law upon that subject.

41. Is there anybody who has the power of removing a tutor?

I am not sure; I am expressing myself doubtfully, in consequence of my experience having been in a college which has always borne a rather democratic character; I know that in other colleges there have been instances of the dismissal of tutors by the head: and there have been, I believe, difficulties occurring in the colleges in consequence.

42. The University has the power of degrading a man for open heresy, has it not?

Yes.

43. And that has been done?

It has been done.

44. In the case of a member of your college, I think?

In the case of a member of my college.

45. And I think that member was then a tutor?

Not technically a tutor; he was mathematical lecturer.

46. I suppose that when that degradation has taken place, the person so degraded ceases *ipso facto* to be a tutor?

I do not know what took place upon that occasion, I was not in Oxford: it was after I ceased to be a fellow, and before I became master.

47. A degree, however, is necessary, is it not, to the fellowship of a college?

It was not at that time: for we had the power of electing our own scholars, before they took their degree, to fellowships. That privilege of the scholars has been done away with since; but still it is only required that a man shall have passed the examinations necessary for a degree.

48. You do not know then whether any position in a college would be lost by the loss of the University degree?

No, I do not know.

49. Would it be lost by the loss of membership of the University?

Yes, I presume so; in fact, I have no doubt of that.

50. That is a power also which the University possesses?

It is.

51. Has it ever been exercised in your knowledge?

Not within my knowledge.

52. What is the nature of the power exercised by the Visitor. Is it more than a judicial power operating on the statutes?

He

He would have the power to visit of his own motion without being called upon, with reference to the statutes; but the ordinary intervention of the Visitor is either to explain the statutes, or to inquire whether they have been contravened, upon appeal, or to judge of the financial affairs of the college upon the statement of their accounts which has to be provided once in ten years.

53. But whether he is moved to act by his own wishes, or by an appeal from the college, he has no power to do more than to enforce the statutes, has he?
He sanctions or vetoes, in certain cases, rules and bye-laws made under the University Act and the statutes of the college.

54. What penal powers has he in case of the infraction of the statutes?
He can remove any member of the foundation.

55. Have you any opinion to express with reference to the Bill which is now under discussion. Are there any provisions which, in your judgment, it would be satisfactory to insert in it, for the protection of religious education?
I am afraid that my opinions are altogether unfavourable to the Bill; but I am not prepared to suggest alterations.

56. You do not think that any of the safeguards which have been suggested would be of efficiency?
I think that all the safeguards that I have seen suggested depend so much for their working power upon the state of public opinion in the colleges and in the University, that (looking to the present state of that opinion) I am not hopeful.

57. Do you think the state of opinion in the University is so hostile to any protection to religious education, that no safeguards will be of much effect?
It seems to me that the current of public opinion there is setting so strongly in that direction, and with every appearance of growing strength, that I do not see much hope of mere legal provisions overcoming it.

58. You do not think that any greater power assigned to the University, of control over the teaching of the colleges, would be attended with any salutary result?
The University itself is the body in which I think I see that growth of opinion in the contrary direction.

59. You do not contemplate the existence of a possible state such as this: that the University at large might be in favour of a certain amount or extent of religious teaching, and some individual college might by accident have fallen into the hands of those who were hostile to it altogether?
I was not contemplating that case; in such a case no doubt the University feeling would make itself known, and might be effective.

60. Is not the constitution of the colleges rather favourable to such an accident in times of divided opinion, from the scantiness of the number of electors?
The members of the foundations of colleges are now so freely elected from all portions of the University, that I think the tendency is for all colleges to take pretty much the same colour during the same era.

61. That depends, does it not, upon the conscientiousness of the electors?
I assume that the fellowships are filled up by a fair judgment of the intellectual qualifications of the candidates.

62. But in all colleges, is not there a reserve of the power of allowing other considerations to weigh?
Yes; "fitness for the service of the colleges as places of learning and religion," are the terms, or something like the terms in the ordinances of the colleges; but the difficulty of making a competitive scale of those considerations tends very much to make the election to fellowships a matter of intellectual competition merely.

63. How many fellows are there at Balliol?
Eleven.

64. Do all those reside?
Not all; we have one permanently non-resident, and another non-resident temporarily,

Rev. *R. Scott*, D.D.
21st Feb. 1871.

temporarily, on account of ill-health. When I say that one is permanently non-resident, I should add that that fellow attends the important college meetings.

65. Earl of *Harrowby*.] You are aware of Sir Roundell Palmer's proposed clause?
Yes; it is one similar to a provision existing in the Scotch Universities.

66. It is to the effect that no person in his public capacity shall say or do anything to impugn the Christian faith or the authority of Holy Writ?
Yes.

67. Should you see any objection to such a provision, or should you see any advantage in introducing it?
I confess I should not see much advantage in it; it is not what a professor may teach definitely in public that I am afraid of; I believe that there are many considerations which would of themselves prevent a professor at present from teaching things shocking to other men's minds from his chair.

68. You think that the control over him therefore in his public capacity is not the important point?
I do not think that it would relieve us from the difficulty.

69. Are you aware of a suggestion which Professor Rolleston made before this Committee last year?
No, I am not.

70. Professor Rolleston was in favour of the Bill generally, but objected to it upon certain points; he stated in evidence "My reason for objecting to the Government Bill is that I think that it admits of being read or interpreted in an anti-denominational spirit; and although there is no doubt that an anti-denominational spirit is the spirit of a large number of persons who are in favour of the abolition of tests, yet there are many who, whilst, like myself, in favour of the abolition of tests, are distinctly not anti-denominational in their spirit. I can put my objection, I think, in a plain way, by asking the Committee to refer to the Government Bill, and look at the last clause, clause 5, where the words are 'Any statute or ordinance of the said Universities or colleges so far as it is inconsistent with this Act, shall be repealed.' I think that such an ordinance as that which was laid down after the University Commission of 1854, whereby the governing body in each college was directed or instructed to have special regard to considerations of the interests of the college as a place of religion and education might be considered to be repealed by such words as those that I have quoted from the end of Clause 5;" that was the apprehension under which Professor Rolleston was proceeding when he suggested this modification: he said further on in his evidence, "The clause which has suggested itself to me, and which has been suggested by others, and in the House of Commons Debates, would run somewhat in this way: 'Nothing in this Act contained shall be so interpreted or construed as to prevent the governing body of any college from having special regard to considerations of the religious interests of that society in electing persons who are to serve as their tutors;' that is a permissive clause." He goes on to argue in favour of it as leaving men at liberty in a way that possibly they might be supposed not to be at liberty under the provisions of the Bill, to look to the religious character of the person chosen as a qualification for the office of tutor; he thinks that as a statement of objects of a religious nature it would act upon the honourable feelings of electors, and induce them to have regard to this point, and not to be governed solely by intellectual distinction; what is your opinion upon that suggestion?
I think it might be well to have some such provision by way of a declaration of the limits within which the Bill was intended to work.

71. You are aware that that question arose in some shape in a case in which All Souls College was concerned, which was heard, I think, before the Archbishop of Canterbury, as to the necessity for the electors of All Souls taking into consideration intellectual excellence as determined by degrees solely?
Yes, I remember that that point was debated.

72. Do you remember how that case concluded?
I think that the college was held to be entitled to weigh other considerations as

as well as the intellectual results of competition; but I am speaking from an imperfect recollection.

73. What would be your opinion generally of the advantage of retaining in the Act a recognition of religious character as one of the elements of fitness for the position of a tutor?

I think it would be valuable to have such a recognition recorded in the Act.

74. Earl *Stanhope.*] I wish to ask you one question, as to which would be the superior authority; take the case of a college in which it was desired either to dispense with or to diminish the religious teaching, and then suppose that the governing body of the University desired such teaching to be maintained; which of those two authorities would be paramount, and would prevail; would it be the local authority or the general authority?

Whatever requirements were embodied in a statute of the University with respect to the teaching of the tutors, I believe the University under the present law could enforce. There is one such requirement; namely, that the tutors shall teach their pupils the Thirty-nine Articles.

75. But in such a conflict as I have put to you, supposing such a conflict to arise, which party could carry its point in the end; would the religious teaching be diminished if the college wished it, whatever the University might say, or would the contrary result be arrived at?

I think it would be very difficult for the University to enforce the thorough carrying out of its own law. There are so many ways of formally obeying a statute without adopting its spirit.

76. Then, in fact, the college authorities would prevail?

Practically, I think that they would.

77. Lord *Lyveden.*] What public opinion is that which you refer to as being so prevalent, that you think it useless to establish any safeguards for religious education in opposition to it, or without its support; of whom does that public opinion consist?

Generally, of the younger members of Congregation and fellows of the colleges, including many of the leading members of Congregation.

78. Then you think among them there is a decided objection to tests of religious opinion?

I think that that is the general leaning or tendency of their opinions.

79. And that is an increasing tendency?

Up to the present time it has seemed to me to be so.

80. Are you resident in the University now?

No, I have not been resident since last summer.

81. Then I presume your means of ascertaining its opinions are by personal communication with the residents?

I speak rather of the state of things, as I thought I observed it, during my residence.

82. How long have you ceased to reside?

Since last Midsummer.

83. Lord *Houghton.*] How long were you at the head of your college?

Sixteen years.

84. Have you, during that time, practically seen any change in the working of the college as regards the election to fellowships?

A very considerable change in many respects has taken place within that time by the action of the University Reform Act and the Oxford Commissioners who gave ordinances for the different colleges.

85. But apart from what you may consider the external action, have intellectual qualifications become more exclusively regarded than they were during the earlier years of your headship?

I do not see much change in that respect in my own college; but the principle has extended itself all over the University now to a considerable degree.

Rev. *R. Scott*, D.D.

21st Feb. 1871.

86. Have you practically, without of course referring to any individual cases, known occasions on which other than intellectual qualifications have been seriously regarded in the election to a fellowship?

I have seen differences of view among the members of the electing body on those points, but I think that the prevailing mode of viewing cases was usually an intellectual one; of course we had testimonials and assurances of good character.

87. Would you anticipate, supposing that the tests were generally abolished, that any practical change would take place in the election to, and in the administration of, the functionaries in your late college?

There would be a prospect of some persons becoming eligible to fellowships who are not now eligible. There was certainly a general disposition to do away with all restrictions: but I do not know that there would be any very decided or sudden difference of policy in the college from what it has followed hitherto.

88. Lord *Colchester*.] I think you stated that the present Bill was nearly the same as the Bill of last year?

I understand so.

89. I think the Bill of last year contained a clause added in the House of Commons specially with reference to the heads, did it not?

Your Lordship refers to the provision that they were still to be clergymen.

90. Was not there a clause in the Bill last year which threw open the headship, which was not originally thrown open when the Bill was introduced into Parliament?

I forget.

91. Do you attach any particular importance to the presence or absence of any such clause?

I think it very desirable indeed that the qualification should be retained where it exists; but it does not exist in all colleges.

92. Are you speaking of Holy Orders?

Yes.

93. I refer to memberships of the Church of England; do you think that a safeguard of any importance, and if so, do you think that it would be a practicable one to enforce?

It would, in my opinion, be desirable, and might be enforced.

94. Do you think that if the fellows belonged to various religious bodies, the election of the head would be likely to be hotly contested on theological grounds, supposing no tests to exist either for the head or the fellows?

Yes; very likely.

95. But if the head could only belong to the Church of England, such contests would be less likely to take place, would they not?

The contest then would be limited to the choice between different leanings within the Church of England, and would perhaps be less violent.

96. There are two instances, are there not, namely, Christ Church and Worcester Colleges, where the head is appointed externally?

Yes; I was wrong in a previous answer (21); there are those two cases.

97. Do you think that if the test was abolished such inconveniences would in the end arise that the election of the head by the fellows might be generally departed from, and that it might be felt to be desirable to increase the system of the head being nominated externally?

I do not see any probability of that.

98. Do you think that the election of fellows which, at present, is usually conducted with special regard to the results of examination, would be less likely to be so conducted eventually if candidates were likely to appear belonging avowedly to different theological sects, or possibly having no definite theological opinions at all?

In case of a marked division of religious opinion in a college that element might very seriously interfere.

99. And

99. And in the case of your own college, which elects its own visitor, the election of the visitor might very likely, I suppose, take the same form, might it not?
It might.

100. The phrase which you referred to with regard to a college being "a place of religion and learning" might possibly be interpreted, might it not, by the fellows as giving them a right to vote against a candidate on the ground that his religious opinions were likely to be injurious?
Yes.

101. There is no means, is there, by which a fellow could be prevented from so voting?
There is no means by which he could be prevented from so voting: nor, I apprehend, could there be any legal proof of the vote of any individual fellow.

102. Then I may say, may I not, that considering what the University would be likely to be, if there was a serious danger of an influx of a great number of persons hostile to the Church of England there would be many who would so vote?
That is possible, supposing that there was a predominant number of the fellows who took that side.

103. Or even if there was a large minority might it not happen that the contest would assume a theological character?
Yes.

104. I think you said that you did not see any safeguard that you could suggest which would prevent any such inconveniences?
I do not see any such safeguard, because my experience tells me that formal legal enactments do not go far to prevent the action of general opinion.

105. I think it was suggested at one time, was it not, that a college might be empowered either to maintain or to abolish the tests at its own pleasure for simple college purposes?
I think that suggestion was made.

106. I believe it was objected to on the ground of the great theological animosity and the divisions which it might cause within the college?
I do not think that objection very important.

107. In fact, such a provision would very likely not cause more dispute or heartburning than, as you have already said, might arise upon an election of a head or fellow?
Yes; or on many other occasions.

108. In fact, if the governing body of a college was in any case composed of men of different theological opinions, some being Roman Catholics, some belonging to the Church of England, some belonging to other sects, and some having no religious opinions at all, do you think that its harmonious working would be impaired?
Yes, it certainly would.

109. Then should you consider that it would have any value as a safeguard if the college had any such power left to it, or that any considerable inconvenience would arise from leaving it to the college to decide for itself as to the question of tests, whatever might be done with respect to the University tests at large?
I should rather see it left to the college than see the tests absolutely abrogated.

110. Then your opinion would be, that if the abolition of all tests for degrees in the University appeared to be inevitable, there would be some value in leaving each college the individual power of deciding whether it would throw open its fellowship or not?
There would be some advantage in that.

111. That would be a safeguard which you would approve of?
Yes; so far as it went.

112. The power of degrading from a degree on theological grounds which has been referred to, would, of course, be swept away by this Bill, would it not, by the very fact, that tests for degrees were abolished?
I suppose that no theological opinions would be an offence against the University Law, if tests were altogether abolished.

Rev. *R. Scott*, D.D.
21st Feb. 1871.

113. You do not contemplate that power remaining in the University?
No.

114. Do you consider that there is a great difference with respect to the merits of tests between those fellowships and endowments which may be considered as prizes, and those which may be considered as offices of trust?
Supposing that a scheme was carried out, which I have seen mentioned, of dividing the fellowships between what may be called University prizes, and provisions for the tuition and government of the colleges, I can conceive that the prize fellowships might be relieved from all restrictions with less danger than the others.

115. And the supposed grievance to a person who has taken distinguished honours in not being able to obtain a fellowship or other University emolument, could only be maintained with regard to him so far as they were prizes, and not so far as they were offices with any duty or trust attached to them; do you think that that distinction would be admitted?
I do not think it would be admitted by those upon whom the grievance, if it was one, would fall.

116. You think that they would consider that they had not only a vested right to a reward, but a vested right also to power and influence?
I think that would be their claim.

117. Do you not think that it would be possible to retain any test for certain fellowships and tutorships which it might be necessary to abandon for prize fellowships?
It might be retained; but what I meant was that I do not think that would satisfy those who consider themselves aggrieved.

118. You think that it would not be a final measure?
I should not like to express an opinion upon that.

119. Do you consider that any distinction can be taken between endowments dating from before the Reformation and those which were given specially to the Church of England since the existence of different religious bodies in the country?
I think that such a distinction is reasonable.

120. You would be in favour of a clause, then, such as was suggested recently in the case of the Irish Church Bill, with regard to the date of the endowments?
I am afraid that the University legislation has already gone beyond that. Fifty years was the only limit prescribed to the Oxford Commissioners in dealing with foundations.

121. Did the Oxford Commissioners deal with any religious question?
No; I am referring to pecuniary matters. My meaning is that every foundation which was more than 50 years old was treated as being within their power to modify.

122. Have you many post-Reformation endowments in Balliol?
Yes; I may say, taking fellowships, scholarships, and exhibitions, endowments of the mastership, and miscellanies together, that the post-Reformation endowments of Balliol amount to about 3,700 *l.* a year, besides the advowsons of several benefices. We have also received 15,300 *l.* in donations for building purposes (perhaps more; but I know of these) within the last century and a half.

123. I think you have one endowment which was specially intended for the purpose of promoting Episcopacy in Scotland?
Yes; but the courts of law have upset that purpose.

124. That being an ungraduated endowment, I think, is not under any test at present?
It is not under any test at present.

125. The holder of it would naturally be an undergraduate, would he not?
Yes.

126. I think you stated that it was not likely that there would be any great difference between public opinion in different colleges at the same time?
I think

I think that the system of free election in all colleges from all colleges must tend to assimilate the opinions within the different colleges.

127. I think the only colleges where there is any restriction on the part of the scholars are New College and St. John's, are they not?
There are some restrictions at Jesus College in favour of Wales.

128. But not in favour of the junior members of that college?
I can only speak doubtfully on that point.

129. Do you think that a college having any particular colour or position would lead men, *cæteris paribus*, to seek a fellowship there more than elsewhere if one happened to be vacant?
Young men frequently show a preference of that kind by abstaining from trying for fellowships at one college and waiting for a fellowship at another.

130. Might that not be still more increased under the greater varieties which might exist in the University in consequence of the abolition of all religious tests?
Yes, it might.

131. And also in a college which has a very brilliant body of scholars it is very probable that they will become a very large proportion of the senior body?
Yes.

132. I think that has been the case particularly at Balliol, has it not?
Yes. But I think that Balliol has men of its rearing in almost all the colleges of the University.

133. Then you consider that the only possible safeguards to which you would attach any value would be retaining the test with reference to the head, and if possible giving the college itself power to maintain or repeal the test, even though tests for University degrees were taken away?
I should wish to see those provisions carried, *valeant quantum*; though I am not confident as to their great efficacy.

134. Is your principal doubt as to their efficacy, or as to their permanence?
With regard to both.

135. You do not think they would do much to maintain the harmony of the college?
Not very much.

136. With regard to Divinity lectures, is it not usual in almost every college to have lectures on the Articles with reference to the examinations, which require a knowledge of the Articles?
The University Statute requires that.

137. And of course such lectures exist in every college?
No doubt they exist in every college.

138. Would they be liable to much modification in the hands of a body containing many members who did not belong to the Church of England?
The lecturer of one year might give a very different exposition of the Articles from the lecturer of another year.

139. If a large number of fellows were Dissenters there might not be much choice; at any rate those lecturers would be appointed by or under the influence of persons, many of whom were not members of the Church of England?
The Tutors (who are required to give these lectures) would be appointed under their influence, but not formally by them; they would be formally appointed by the head.

140. Of course if the test for the head were taken away his appointment might be almost wholly in the hands of persons who were not members of the Church of England?
But then I can scarcely conceive that statute remaining long under such altered circumstances.

141. You think, therefore, that the teaching of the Articles would be expunged from the University examinations?
I think it probably would.

Rev. *R. Scott*, D.D.
21st Feb. 1871.

142. Even for persons who were members of the Church of England?
Yes; except in the theological school.

143. I mean for examinations in arts?
I refer to the new school of examinations in theology for a degree in arts, which has lately been founded.

144. You allude to a change which is at this moment scarcely in operation, is it?
It is in operation.

145. You think that the repeal of the test would tend to separate all the teaching with reference to the Church of England from that on other subjects except with reference to the theological school?
I think that the result would be that the necessity laid upon the tutors to teach their pupils the Thirty-nine Articles must cease, and that the requirement that a man should be examined in the Thirty-nine Articles for his degree in arts must also eventually cease.

146. Lord *Rosebery*.] I wish to put one or two questions to you merely for the purpose of elucidating the matter. Is there any official notice of a tutor's appointment given by the head to the body of fellows after it has been made?
It is generally announced simply in the way of private communication; there is constant intercourse between the head and some or other of his fellows. I do not recollect that I made any formal communication on the occasion of appointing a tutor.

147. And there is no necessary consultation with them anterior to the appointment, although the impression on the head's mind might be that the purse-strings might be tightened in case of an unpopular appointment?
No such consultation is necessary.

148. And there has been no instance of any objection from a body to the appointment of a tutor?
None in my own case; I can only speak with certainty as to that.

149. Should you be inclined to say that the power of the head in that way was practically unrestricted?
No.

150. You think that there is a restriction in the possible objection of the body of fellows, although none has ever yet been made?
I certainly do.

151. You spoke of difficulties occurring in a college after the dismissal of a particular tutor; can you tell us what kind of difficulties they were?
No, I cannot; I was speaking from a general impression of what I had heard at the time.

152. With reference to the Bill which is now before the House of Commons, do you think that after the abolition of tests had taken place, if it should take place, the clerical fellowships which have so proponderating an influence in the University would act as any safeguard of religious teaching?
I cannot separate the subject of the continuance of the clerical fellowships from the general question.

153. You would be disposed to throw them over in case the tests were abolished?
Not I; but I should be disposed to fear that they would be thrown over.

154. You would not anticipate any beneficial operation from the tightening of the power of the University over the college after the tests had been abolished with regard to religious teaching?
I cannot pretend to say how that would be.

155. There is no necessary attendance, I think, at chapel at Balliol, is there?
No.

156. Do you think it would be possible to imagine any scheme by which the power of theological teaching would be placed altogether in the hands of the University and taken entirely away from the colleges?
I do not think that it would be easy to do that.

157. But

157. But such a scheme would have to be kept in view in case the tests were abolished, because you might have a college where the entire governing body were Nonconformists, who would not be competent to appoint a tutor to lecture on the Thirty-nine Articles?

I have already said that I conceived that the duty of teaching the Thirty-nine Articles could not be long sustained if the Bill passes.

158. Do you attach much importance at present to the hour's weekly lecture on the Thirty-nine Articles?

I think it might, and I believe in a great number of instances does exercise considerable influence and do good; but I know that as it is often worked it does not.

159. Would you have any fear, practically, of the tests being removed in your own college?

I think it would make less difference in my own college than it would in some others.

160. But still it would make a very appreciable difference?

It would make an appreciable difference.

161. Bishop of *Gloucester and Bristol.*] I was rather sorry to hear you mention that you had no very great hopefulness of our being able to interpose any religious safeguards; still I should like to ask you this question, and one or two others to follow it: first of all, whether you would not think that it was in some degree a safeguard, especially after what you have been kind enough to mention as to the duties and position of a head of a college, if we were to prescribe by legislation that those who are now in holy orders by statute, being heads of colleges, should continue to be so, would you not consider that that would in some degree be a safeguard?

Yes, I think it would be a safeguard in some degree; and I should wish it to be secured.

162. Among the many safeguards that you have no doubt thought of, would you be inclined to rank that high as a safeguard?

I should attach considerable importance to it.

163. Then I pass to a second safeguard that has occurred to me, and I will say weighs greatly with me, the desirability of always maintaining in the chapels the Church of England service, and also providing that no other service should by any strange contingency take its place; should you not consider that I should not say perhaps a safeguard, yet as something that would impress upon the college a distinctly religious character?

I should very much desire that the chapels should be secured for the service of the Church of England, and for that service only; because it would not merely assert a principle, but it would be a great privilege to those members of the college who really felt a desire to avail themselves of it.

164. And without entering into higher reasons and influences, it would be fair to say that such a safeguard, if we may so call it, would impress a kind of religious character upon the college; or rather let me put it in this way, that the absence of it would give a character to the college almost the reverse of religious?

I quite think that.

165. Allow me to ask only a bye-question which just arises, upon which the Committee, I daresay, would be glad to have your opinion; I am sure I should. Supposing that we thus maintained the service in the chapel in this way by statute, would it be desirable, do you think, that the attendance at such service should be purely voluntary or not?

I think it would be desirable, in the case contemplated, that the attendance should be purely voluntary; provided that tutors heartily used their personal influence over their pupils, to make them regard it as a duty, though not a matter of discipline. And this influence would be the greater, in proportion to the example set by the tutors themselves.

166. The third safeguard is one which I think has not been mentioned at present, but which has been suggested by friends of the Universities, namely, that it might be desirable to provide by way of safeguard that the fellowships

Rev. *R. Scott*, D.D. 21st Feb. 1871.

were terminable with a view to prevent, if I may use the expression, cliques continuing long in a college, who might unfortunately act in ways detrimental to religious influences; what is your opinion upon that?

I should answer that by distinguishing between the fellowships held by non-residents and the fellowships held by residents. I think that to make the fellowships terminable in the case of fellows who did not, in any real sense of the word, reside, would be an advantage; but I should not wish to limit the duration of fellowships in the case of those who resided.

167. In the case of those who were engaged in tuition?
Yes.

168. So that, speaking generally, *exceptis excipiendis*, you would be in favour of terminable fellowships, and think that they might justly be pressed as in some degree a collateral safeguard?

I can scarcely put it in that way, because the terminable fellowships, according to my experience, would be the exception rather than the others.

169. The last point will be with regard to clerical fellowships; do you think that a decided limitation in the number of clerical fellowships would be a serious evil, viewing it from the religious side, from which we are now regarding the subject?

Yes, I do. It must be remembered that the proportion of clerical fellowships is not large. At Balliol there are only four out of eleven.

170. You do not think, from your experience, that the clerical fellow, when residing at the college, may acquire habits that may less fit him for his duties afterwards as a parish priest?

I think that the present state of things does not suggest that danger so much as one's recollections of a former state of things did, when fellowships (on the average) were held longer.

171. Still there would be a danger, would there not, with regard to the religious influence to be afterwards exercised in the country if the tone of the University were to become, let us use the term, latitudinarian; if there were to be many clerical fellows residing in a University so becoming latitudinarian, there would be some danger surely, would there not, that they might catch the prevailing tones of the place?

Yes; that is, upon the supposition that they were not the salt of the place.

172. Duke of *Somerset*.] I think you said that you would not look to the control of the University as affording any safeguard in these matters?

I thought that, practically, the body within each college would carry out its own plans, notwithstanding the University's general rules.

173. But do you think that the public opinion in the colleges is not influenced by the general opinion in the University?

My view is that they are likely to be nearly identical.

174. Then if the control of the University depends upon a state of opinion, which you regard with some alarm, and if the state of opinion in the colleges is likely to be identical with the state of opinion in the University, is there much use in our sitting here contriving safeguards for a University which is already latitudinarian, or become heretical?

I should rather not express an opinion in answer to such a formidable question.

175. Do you think that the opinion of the colleges is not really greatly influenced by the opinion in the country generally?

I think that it is influenced more by the opinion of those who have gone out from the Universities than by that of the rest of the country. The resident members of foundations in Oxford are influenced, I daresay, by the opinion of their own contemporaries and friends in London, but I do not know that I could go further than that.

176. Do you think that you can keep Oxford quite sound and orthodox while the country is becoming unorthodox; that is the question?

Not permanently, I suppose.

177. It must follow, eventually, the general opinion in the country, must it not?

It does so.

178. *Chairman.*]

178. *Chairman.*] Do I understand it to be your opinion that the country is becoming unorthodox?

My answers must not be understood as going further than the questions to which they were given; the question was put hypothetically, and I was answering upon a hypothesis.

179. Earl of *Harrowby.*] Is it quite clear that the opinion of the country can be derived from the opinion of University men?

I think not.

180. Is not there some reason to believe, from the late struggles in regard to elementary education, that there is a very strong desire that there should be a distinctly religious tone given to education, at least in its earlier stages?

I am inclined to think that there is: and I believe that that desire is very strong in the minds of a large number of those who wish to send their sons to the Universities.

181. That was just one of the points to which I wished to draw your attention; is it quite clear that we are not, in giving so much value to the opinion of those whom you alluded to, overlooking the opinion of those who send their children to be educated at the Universities?

I think it is very far from clear. My own impression is, that those who wish to send their sons to the Universities ought to be much more consulted than they ever have been in these matters.

182. Have you ever had occasion to receive representations from parents as to the tutors to whom they would wish to confide their children?

Frequently.

183. Do you believe that if there was a college which became indifferent to such considerations, parents would be very shy of sending their children to it?

I believe that different colleges, according to the tone which was supposed to be prevalent in them, would become the resorts of the sons of parents of different ways of thinking.

184. Does not the demonstration of feeling in the country with regard to denominational education show very strongly that we have to look as an evidence of the general feeling of the country to something very different from that which we should infer, simply from declarations of leading persons in Parliament, or of leading intellectual personages?

I hope it does.

185. Has there not been considerable evidence to that effect?

Yes, there has.

186. Although there is no very good security at present for the religious character of education universally in Universities, do you conceive that the total abandonment of every attempt to get security would not deteriorate rather than improve the religious condition of the Universities?

Yes, I think it would; I should not wish to see the attempt abandoned, though I have expressed myself as not hopeful of the result.

187. Do you not think that there is an amount of *verecundia* or *pudor* existing under present circumstances which restrains full vent being given to irreligious feelings on the part of many persons otherwise intellectually distinguished, which would be removed if Parliament at once avowed its total indifference to religion in the matter of the higher education?

They would have the power to appeal to that action of Parliament as their justification, which they have not now.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned till Friday next, at Twelve o'clock.

Die Veneris, 24° Februarii, 1871.

LORDS PRESENT:

The Duke of SOMERSET.
The Marquess of SALISBURY.
Earl COWPER.
Earl STANHOPE.
Earl of HARROWBY.
Earl of MORLEY.
Earl BEAUCHAMP.
Earl of KIMBERLEY.
Bishop of GLOUCESTER and BRISTOL.
Lord COLCHESTER.
Lord ROSEBERY.
Lord LYVEDEN.
Lord HOUGHTON.
Lord HARTISMERE.

THE MARQUESS OF SALISBURY IN THE CHAIR.

The REVEREND H. W. COOKSON, D.D., is called in; and Examined, as follows:

Rev. *H. W. Cookson*, D.D.

24th Feb. 1871.

188. *Chairman.*] You are Master of St. Peter's College, Cambridge?
Yes.

189. You have taken great interest, I think, in this subject of University tests?
I have taken considerable interest in it.

190. You are of course aware of the general nature of the provisions which are embodied in the Bill which was before Parliament last year, and which has now been reintroduced into the House of Commons?
I am.

191. Are you of opinion that that Bill provides satisfactory or sufficient safeguards for religious teaching in the colleges of the Universities?
I consider the safeguards inadequate.

192. Can you suggest any way in which you think they might be expediently supplemented?
That would require probably an examination of some of the safeguards which are proposed.

193. Would you kindly make that examination?
I think the preamble indicates the intention of the Legislature as being favourable to the maintenance of religious instruction and worship, and I think that that is important when the authorities of the college have to carry this Act into operation.

194. You think that there will be a moral value in the statement, on the face of the preamble of the objects of the Bill?
Certainly. In page 2, section 3, proviso 1, there is undoubtedly a safeguard, so long as it continues in force, though I am afraid that it is an inadequate one.

195. You say that that safeguard would only be valuable so long as it was in force; but I suppose that any safeguard which we might insert in the Bill would be liable to the contingency of being afterwards removed?
I ought

Rev. *H. W. Cookson*, D.D.

24th Feb. 1871.

I ought to explain myself more fully. The obligation to take Holy Orders rests upon the statutes of the colleges, and these may be altered by the authorities of the colleges with the consent of Her Majesty in Council.

196. Without the consent of the visitor?

In Cambridge, without the consent of the visitor; consequently, the safeguard only remains in force so long as the colleges abstain from making that alteration in the statutes which abolishes the restriction with regard to Holy Orders.

197. That restriction, with respect to Holy Orders, so long as it remains, would supply, to a considerable extent, the provision that the heads of the colleges should be members of the Church of England, which has been removed from the Bill, would it not; is it not the case that in most of the colleges at Cambridge the head is bound to be in Holy Orders?

Not by any means in all; it is not so in my own college; the head is bound by statute to be a member of the Church of England, but he is not bound to be in Holy Orders; that safeguard, consequently, would not rest upon the authority of Parliament.

198. What addition would you propose, then, to that clause, in order to make the safeguard satisfactory in your view?

I should endeavour to make some more general safeguard, and I should prefer mentioning that when other points have been considered.

199. Will you then pursue your examination of the Bill?

I would first point out that this safeguard does not apply to all the colleges.

200. You mean that it is not in all colleges that there are obligations to take Holy Orders?

In 12 colleges, at least in Cambridge, less than half the fellows are required to be in Holy Orders; in eight colleges not more than one-third; and in two colleges, none. So that in about 12 colleges there might, under the Bill, be a majority of fellows not members of the Church of England, and consequently the maintenance of religious instruction would be made very uncertain.

201. Is it to the churchmanship of the head, or of the fellows, that you would principally look as a security for the maintenance of religious instruction?

Both.

202. You consider that the churchmanship of a majority of the fellows, and of the head, is necessary for that security?

Certainly.

203. Do you attach any value to the second proviso in the 3rd Clause?

It does not apply at all to Cambridge. The offices in the University are excepted as not being offices "mentioned in this section." And I may call attention to another part of the proviso No. 1: that although a Roman Catholic priest (to take his case as an illustration) would not be eligible, in the language of the section, to a fellowship, which is restricted to persons holding Holy Orders, yet if he were once elected to a fellowship which is open to laymen or other persons indiscriminately, he would not be obliged at the end of seven years, or any other period that might be fixed from the time of his becoming a Master of Arts, to resign his fellowship under the clause which requires all persons to take Holy Orders in order to retain their fellowships after seven years. His orders in the Roman Catholic Church would protect him as much as the orders in the English Church.

204. Do you think that Clause 4 is of any value?

I certainly think it is of some value, and I believe it was introduced or proposed by Sir Roundell Palmer in the House of Commons, in 1869, as an ample protection for "the system of religious instruction, worship, and discipline, which now is or which may hereafter be lawfully established in the said Universities respectively, or in the colleges thereof." But then, in the Bill of 1869, Section 17 of the Act of Uniformity (the 14th of Charles the Second, chapter 4) was not repealed, and it is proposed to repeal it now.

205. What

205. What is the operation of that section?
Section 17 is, "And be it further enacted by the authority aforesaid, that no form or order of Common Prayers, administration of Sacraments, rites, or ceremonies, shall be openly used in any church, chapel, or other public place of or in any college or hall in either Universities, the colleges of Westminster, Winchester, or Eton, or any of them, other than what is prescribed and appointed to be used in and by the said book," namely, the Book of Common Prayer. That renders nugatory to a great extent Clause 4.

206. Under the former Bill the 4th clause had the effect of continuing the imperative character of the chapel worship in the colleges, which is now lost?
Yes, that is now removed.

207. Having gone through the Bill, will you now tell the Committee in what way you think that it might be amended?
I think it might be amended by the omission of the words in page 4, lines 10 to 15, in the Schedule.

208. In fact, by the restoration of Section 13 of the Act of Uniformity?
Yes; the omission of the repeal of that section. Section 5 repeals those parts of the several Acts of Parliament which are mentioned in the Schedule. Clause 13 is one of them. I should recommend the omission of that repeal. Then, again, I should recommend the reintroduction of the clause with reference to heads of colleges, which was in the Bill of 1870, namely, that "nothing in this Act shall apply to the headship of any college." I can suggest no general safeguard which is unobjectionable or which would be altogether satisfactory. The only one I could propose would be a clause or a proviso which should provide, that in all colleges not fewer, say, than three-fifths of the fellows should be members of the Church of England.

209. So as to give a constant majority to the members of the Church of England?
Certainly.

210. Do the fellows in Cambridge to a large extent regulate the nature of the instruction and consequently the religious instruction of the colleges?
Everything is in the power of the master and fellows at a college meeting by the statutes of my own college.

211. And of the fellows without the master if they are in a majority?
And of the fellows without the master if they are in a majority; the master, has only a casting vote.

212. In addition to his own?
In addition to his own.

213. Who appoints the tutors of your college?
The master, with the consent of the fellows.

214. And I suppose the office is revocable in the same way?
Yes, with an appeal to the visitor.

215. What are the powers of the visitor generally; has he any control, other than what you have just mentioned, over the teaching of the college?
He has only visitorial powers; he has no direct power.

216. Visitorial power is a power exercised on appeal with reference to the statutes of the college, is it not?
Yes.

217. But the statutes of the college contemplate religious education?
Yes.

218. And if it was neglected, or anything that was irreligious was taught, I presume the visitor would have power to act?
If called upon by the society; he cannot act unless he is called upon by the society.

Rev. *H. W. Cookson*, D.D.
24th Feb. 1871.

219. Must he be called upon by the whole society, or may he be called upon by one member of it?
I think in some cases one member would be sufficient.

220. Earl of *Harrowby*.] Are the visitors in all cases fixed by the statutes of the college, or are they chosen by the fellows themselves?
I believe at Cambridge, in all cases, they are fixed by the statutes of the college. It is so in my college, and I believe in all.

221. At Balliol College, at Oxford, you are aware, perhaps, that they name their own visitor?
I am not aware of that.

222. When you suggest as a security for the religious character of the teaching of the college, its being required that the majority of the fellows should be members of the Church of England, you propose that, because it is not easy to fix upon any other test than that of belonging to some one religious body?
Yes.

223. Not that you would say that all teaching, except by members of the Church of England, would be irreligious?
No, certainly not.

224. But you prescribe attachment to a particular body, and that body the Church of England, as a security for the religious character generally?
Quite so.

225. Would there be anything to prevent those who had left the Church of England and become members of the Church of Rome, from becoming a very important body in the University under the Bill as it was brought in last year?
Nothing.

226. They would come with all their degrees upon them, with a disability removed, and in full force to make any movement they pleased?
Yes, they might do so.

227. Have you thought of the possibility of introducing a clause such as was suggested by Professor Rolleston, which would confirm the provision which exists in the University Statutes now, that in the choice of a fellow or a tutor, it is to be an instruction to the electors that they should have special regard "to the interests of the college as a place of religion, learning, and education;" should not some provision be made of a similar kind in the present Bill, confirming that statute so as to place it before the minds of the fellows that they had a duty in that respect?
That provision exists in the statutes of my own college. In electing a fellow we are to elect with reference to the place "as a place of religious education and learning."

228. But you are aware that there is an apprehension that a clause in the Bill as it now stands, namely, the last clause, would implicitly repeal any such provision, and it has been suggested that it would be desirable to take precaution against that possible interpretation, by inserting the following words: "Nothing in this Act contained shall be so interpreted or construed as to prevent the governing body of any college having special regard to the religious interests of that society in electing the persons to serve as their tutors," as a safeguard to the statutes as they now stand, which call attention to those points in the choice of fellows and tutors?
If there is any danger that our statutes will be repealed, I think it is of the utmost importance that the doubt should be removed, and the provision inserted which your Lordship suggests.

229. It would only be in harmony with the preamble of the Bill, as I think you suggested just now?
Quite so; and with Clause 4.

230. Earl *Stanhope.*] You spoke just now of the powers of the visitor as if they were uniform in all the colleges at Cambridge; is that the fact?

I am afraid I was misunderstood if I was taken to say so; of course the powers of the visitor would differ with the different statutes of the colleges.

231. Therefore we are not to assume the powers of the visitors to be uniform in the colleges, but as differing with the different statutes?

Yes.

232. You stated, when you were referring to Section 1 of the 3rd clause, that you thought the fellows might have power to alter the statutes relating to religious teaching, even without the consent of the visitor; you afterwards said that you thought that even the representation of one fellow would give the visitor power to interfere; I confess I do not quite see how you reconcile those two answers?

All the colleges have power to alter their statutes, without any reference to the visitor, by an appeal to the Queen in Council; the power of the visitor does not affect that power at all.

233. But then the power would rest with the Queen in Council, and not with the fellows?

Yes, with the Queen in Council; but it is the fellows who put the machinery in motion, and obtain the consent of the Queen in Council to an alteration of the statutes, and in doing that, they are quite independent of the visitor.

234. But I understand you now to say that the decision does not rest with them, but with the Queen in Council?

Yes.

235. Lord *Lyveden.*] I think you stated in answer to a question which was put to you with respect to what safeguards you would recommend to be introduced into the Bill, that besides altering a part of the schedule, the most substantial safeguard you could think of would be to enact that three-fifths of the fellows should be members of the Church of England. Of course having turned your attention to this subject you are aware of the state of the question in the two Houses of Parliament, and that in recent divisions the House of Commons have shown something like a disposition to go rather beyond this Bill than to retract from it; do you think that in that state of opinion it would be at all possible to introduce such a clause as you suggest into this Act, which would be palatable to the other House of Parliament?

I am not competent to judge of that question.

236. You merely propose it, then, without any view to the possibility of its being enacted, but merely as what you think desirable?

Quite so.

237. What do you think has been the use of the present tests as safeguards for the religious character of the Universities and the maintenance of religious instruction and worship; do you think they are perfectly efficient?

I think they have secured a religious character in the colleges and in the University, and I am afraid that that would be seriously impaired if there is not some proper safeguard found, in the event of the tests being so far removed as to admit Nonconformists, or persons not belonging to the Church of England, to fellowships.

238. Do you think the present tests have been strong enough to exclude persons whom you would think objectionable on account of their religious opinions?

Certainly not to exclude all, but I think they have been to a very great extent effective.

239. How is that they have not excluded all; is it because some men have been ready to take the tests which you think they were not in honour able to take?

I think, in very rare instances, persons have taken the tests who ought not to have taken them; but I believe those instances to have been extremely rare.

Rev. *H. W. Cookson*, D.D.
24th Feb. 1871.

240. Has there, in your view, been a growing opinion in the University against the taking of tests?
There certainly is a strong feeling against the tests at the present time; at least against the universality of tests.

241. And that feeling is constantly increasing, is it not?
It has increased up to the present time; it has increased much of late years.

242. Has it increased among all the members of the University, or only among the junior members?
I do not think there is much difference. The young men follow the older ones a good deal.

243. And you think there has been a general and constant increase of opinion against it?
Yes, I think there has.

244. Lord *Houghton*.] In your examination for your fellowships in your college, are you guided by any other principle than that of determining the intellectual qualifications of the candidates?
We have no examination; we take the examination in the University, and we are then bound to elect him whom we judge to be most fit to be a fellow of the college "as a place of education, religion, and learning," and we act strictly upon that.

245. Are there cases in which you have sometimes given a fellowship to a man who had taken less high honours in the University than his competitors?
There is one instance within my knowledge of a gentleman of high honours, with whom I very deeply sympathised, who was not able to declare his conformity to the Church of England, and whom, therefore, we did not elect; we elected a person who was below him in the mathematical tripos. That is the only case of the kind that I remember.

246. You have generally practically adhered to the intellectal qualifications in the elections in your college?
Always.

247. Earl *Cowper*.] As long as the majority of the fellows of the colleges are members of the Church of England, there would be no danger, you think, of the religious instruction being neglected?
I did not say that; I did not go quite so far as that; I said it would be a safeguard, but an imperfect safeguard.

248. Do you think there is any risk, if this Bill is passed, of the majority of the governing body of any college not being practically speaking members of the Church of England?
I have most serious apprehensions of it.

249. You think it would really happen that in some colleges the majority of the governing body would not be members of the Church of England?
Yes.

250. Earl *Beauchamp*.] In the event of the majority of the fellows not being adverse to the Church of England when religious tests had been withdrawn from the qualifications for fellowships, is it not conceivable that the majority of the fellows might consider themselves in honour bound not to administer the college in accordance with the principles of the Church of England, inasmuch as membership of the Church had been withdrawn from the qualifications of fellows?
I think it could not be relied upon that they would so administer it.

251. May we take it that, according to the statutes of your college, a fellowship is a place of trust and duty, or that it is a place of gain or emolument?
No doubt a fellowship is to a certain extent a prize and a reward, but there are always a certain number of fellows who engage in the work of the University; and those who do not so engage, and who are non-resident, are very often in eminent situations as teachers in Scotland and elsewhere.

252. Would you consider it a safeguard against the dangers you apprehend from the passing of this Bill, if a distinction were drawn between two classes of fellowships,

fellowships, one class continuing to be held with the qualification of membership of the Church of England, and the holders discharging the duties of teaching and holding these posts of trust, and the other class being held as mere University or college prizes; would that be a safeguard against the dangers you apprehend from the Bill?

I think it would not be a complete safeguard; everything connected with the education which goes on in the college is under the control of the master and fellows, and if, we will say, the majority of the fellows became anti-Christian, there would be no sort of protection for the religious character of the college.

253. But supposing that the second class to which I have referred, namely, those who held a fellowship without any duties attached to it, were relieved from all responsibilities in the discipline of the college, or even from voting at college meetings, would not that, to a great degree, diminish the dangers which you apprehend from the Bill?

Certainly it would if that provision were made.

254. I understand that at St. Peter's College three, at least, of the fellows are required to be in Holy Orders?

Yes.

255. You have already pointed out to the Committee that if three of your fellows happened to be in Holy Orders of the Church of Rome, that condition would be complied with?

Yes, that would be so.

256. Then in that case you would have none of your fellows in Holy Orders?

None of our fellows would be in Holy Orders of the Church of England.

257. That is to say, you would have no fellow competent to perform Divine service in College Chapel?

No.

258. May I ask how Divine service is conducted in College Chapel at the present moment?

By the fellows who are in Holy Orders, and by myself as Master.

259. Is there any provision contemplated by which Divine service could be carried on if all the fellows were either laymen or in Holy Orders of the Church of Rome?

I have called attention to that provision of Section 1, and I said I thought it ought to be worded in such a manner that a Roman Catholic priest could not hold one of those fellowships.

260. To go to another branch of the question altogether, a large number of candidates for Holy Orders are educated at Cambridge?

Yes.

261. I believe almost all, if not all of them, pass the voluntary theological examination?

Yes.

262. Do you think it would be possible to maintain the voluntary theological examination of the University, if the condition of membership of the Church of England, on the part of the governing body, were withdrawn?

It would be difficult, but not perhaps impossible.

263. Do you think it would be a satisfactory state of things that a majority in the senate, adverse, or indifferent to the Church of England, should regulate the theological studies of candidates for Holy Orders?

I do not think there is any prospect of that in the senate.

264. I did not ask about the prospect; I asked whether that would be a desirable state of things?

No, it would not.

265. The probable result of that would be, would it not, that candidates for Holy Orders would cease to reside at the University and seek their education elsewhere?

If such a state of things occurred, no doubt they would.

 266. Should

Rev. *H. W. Cookson*, D.D.

24th Feb. 1871.

266. Should you consider that a great misfortune as tending to narrow the education of the clergy?

Yes; I should consider it a great national misfortune.

267. And as tending to diminish their opportunities of intercourse with other students of the same standing as themselves?

Yes; and of enlarging their minds by other studies.

268. Earl of *Kimberley*.] I understood you state, in answer to the noble Earl, who questioned you immediately after the Chairman, that you proposed that three-fifths of the fellows should be members of the Church of England, not so much as a special protection to the Church of England, but as the most convenient, and perhaps the only means of ensuring the religious character of the colleges?

Yes.

269. Does not it follow from that that your views would be entirely met if a provision were inserted in the Bill, by which it was provided that whenever any college should resolve that the fellows should be three-fifths of any denomination, say three-fifths Roman Catholics, or three-fifths Baptists, that should satisfy the requirements of the Bill, as it would clearly, according to your view, provide for the religious character of such college; is not that a fair inference from your general proposition?

I should restrict it to membership of the Church of England.

270. You have not answered my question, whether if such a provision were not directed to the special advantage of the Church of England, but to the preservation of the religious character of the college, your proposal would not be met just as well by the provision that three-fifths of the fellows should be Roman Catholics, or three-fifths of them Baptists?

A denominational college would no doubt maintain religious instruction, whether it belonged to the Church of England, or to any denomination of Nonconformists; I quite admit that.

271. But then it seems that you are not willing to admit that my mode of carrying your principle into effect would meet your views; must I not conclude that the other alternative is the true inference to be drawn from your suggestion, namely, that you desire that three-fifths of the fellows should be members of the Church of England for the special advantage and protection of the Church of England, and not for the benefit of the University as regards its religious education generally?

I think if two-fifths of the fellows might be Nonconformists, or persons not members of the Church of England, it would meet all the cases of hardship of Senior Wranglers and others not obtaining the honours and emoluments which they ought to obtain.

272. That is scarcely an answer to my question; supposing it happened that three-fifths of those who had taken the highest honours in a college were Nonconformists, and two-fifths members of the Church of England, would you think it fair that you should reverse the proportion, and make three-fifths of the fellows members of the Church of England, and two-fifths Nonconformists, and if so, on what principle should you do so?

I think that the proportions in the country of the members of the Church of England, and the different bodies of Nonconformists, are such that it would be only fair to give that proportion to the Church of England as compared with the Nonconformists.

273. Then I think I understand your view to be this, you would redistribute the fellowships, not according to the intellectual qualifications of the persons who might be candidates for them, but with reference to the proportion which the numbers of the different religious denominations in England bear to one another?

I should wish to open the fellowships, or at least I admit that the fellowships ought to be opened, to persons of other denominations than members of the Church of England, and I should think it would be sufficient to open them as far as I have mentioned.

274. You said that you would wish to restore to the Bill a provision which was formerly in it, restricting the headships to members of the Church of England?
Yes.

275. Do you think that if this Bill were carried with that addition, it would be in any degree likely that such a special and narrow exception could long be maintained?
I cannot express an opinion upon that question.

276. If you do not think it would be long maintained (on which you decline to express an opinion), do you think it would be worth while to insert such a provision?
Yes, I think even if it was only maintained for a short time it would be worth while to insert it.

277. Lord *Colchester*.] I suppose it is probable that under all circumstances, members of the Church of England would prove to be a larger majority of the persons who came up to the University for education?
They have been so hitherto, and I suppose that will continue to be the case.

278. The rest might be composed of members of various sects, or of men of no distinct theological colour; but no one single sect would be likely to be as numerous as the Church of England?
No.

279. Then with reference to a question which you answered just now, it would be utterly impossible, would it not, to find any sect, except the Church of England, which could fill up three-fifths or more than half a college?
I think the members of a particular denomination might make an effort to get a position in one particular college, and in that way they might easily obtain a majority in that college.

280. Do you mean the members of a single denomination?
Yes.

281. I suppose that if a college was composed of a few fellows of every different denomination, it would be impossible for them to agree, would it not, upon any one system of religious instruction?
Unfortunately it would be the means of making religion a proscribed subject, and most probably of introducing a great deal of indifference with regard to it.

282. Then is it your opinion that registering a majority of the fellows to be members of the Church of England, that being the only body which is likely to supply a large number of persons qualified for University distinction, is the only way of obtaining religious instruction?
I do not think it is the only way, but it is one which occurs to me.

283. You attach great importance to the restriction in favour of the head being a member of the Church of England?
I do.

284. The head of a college in Cambridge is almost always elected by the fellows, is he not?
It is not so at Trinity College, and it is not so at Jesus College, and it is not so at Magdalen College; but I think it is so at all the other colleges.

285. Are the heads of those three colleges you have named appointed by the Crown?
By the Crown in one case, by the Bishop of Ely in another case, and by a private nobleman in the third case.

286. I suppose, in the event of the governing bodies of colleges being divided between fellows of very opposite theological opinions, the contest for the election of the head might assume a very eager party character?
Yes.

Rev. *H. W. Cookson*, D.D. 24th Feb. 1871.

287. Do you think that it would be possible to retain the system which prevails in the great majority of the colleges, of the election of the head by the fellows, without great inconvenience in case fellows of all theological colours came into the governing body?
It would be very difficult indeed.

288. I think you stated that there was a good deal of feeling in the University now in favour of the abolition of tests?
The residents are about equally divided with respect to the abolition of tests, I think.

289. Should you say that tests were the subject of constant discussion with a view to the alteration of the existing law?
There is free discussion upon all these subjects, and there has been a great deal of discussion about that.

290. Do you think, with reference to any other point besides the headship, that it would be difficult to settle this question without going into all the other matters connected with the University?
That is scarcely a question upon which I can express an opinion.

291. I think a former witness stated that one at least of the theological professors was elected by the Council?
One theological professor is elected by the Council.

292. Should you expect that the Council would contain, under the *altered* system, a large number of persons who would be undesirable persons to go in for a theological professorship, or undesirable electors of a theological professor?
I do not think there would ever be a large number of them.

293. Do you think practically that that system could be maintained?
Yes, I think so; I am not afraid of that.

294. Do you think it would be possible to devise any plan which, upon the basis of a distinction between the pre-Reformation and the post-Reformation endowments should make certain parts of the University denominational and certain other parts undenominational?
I am not prepared to express an opinion upon that point.

295. That would not be a safeguard which you would recommend?
No.

296. What is the character of the religious instruction in the colleges at present; has it reference to the University examinations?
In part it has reference to the University examinations. The Greek Testament forms one of the subjects which those who are not candidates for honours have always to be reading during their first two years, and those who go out in the theological line during their third year as well; consequently that forms a great subject of lectures in the colleges.

297. Do you think that those lectures would be maintained in the same form under the altered system which would be brought about by the Bill?
No; I think anything in the nature of unsectarian lectures upon the Greek Testament would be very undesirable.

298. Would it not be almost impossible to give lectures which did not in some way or other touch the opinions of some sect?
I think so.

299. The provision with reference to the headship is the one safeguard which I think you would specially recommend?
It was one, but not the only one which I mentioned.

300. One other was, with reference to the clause repealing the instruction, to regard the interests of the colleges as places of religion and learning?
One was the omission of that clause from the schedule, which occurs between lines 10 and 15; that is to say, the omission of the repeal of the 13th section of the Act of Uniformity.

301. That was with a view of maintaining the college services unimpaired?
Yes, the services in the chapel.

302. You would not be in favour of certain colleges becoming denominational, and others undenominational?
That is not the proposal in the Bill.

303. I am aware of that; but you would not be in favour of allowing the Bill to take full effect as to certain colleges, at the same time exempting either the greater foundations, or any colleges on behalf of which any difference could be drawn from the operation of the Bill?
I think it is possible that a scheme might be framed, which I should prefer to that in the Bill, making colleges denominational.

304. The opinion of the country is much divided, is it not, between denominational and undenominational systems of education?
I believe so.

305. Then, in a University which is to represent the whole nation, such a division would very much represent the divided state of opinion in the country, would it not?
I think so.

306. Earl of *Morley*.] You mentioned the fact that the 1st section of the 3rd clause of the Act was a safeguard, but that it was one which you thought could not last; I suppose you base that opinion that it could not last upon the general feeling which exists in the country and in the Universities?
Yes.

307. Do you think that the proposals you made relating to the heads of houses, or the proportion of fellows in the colleges, would be more likely to last than such a proposal as this contained in the Bill?
They would have the authority of Parliament, which the other would not.

308. Bishop of *Gloucester and Bristol*.] I will trouble you with a few inquiries relative to our Divinity professorships at Cambridge, and particularly with regard to the Norrisian and Hulsean, and I will mention my reason for asking you, whether certain contingencies might not happen. You may have observed in common with myself that such an idea as a Professor of Divinity not being in Holy Orders has been entertained by some; I mention that, that you may understand the drift of my questions; I think we shall both agree that there would be no anxiety as to the Regius Professorship of Divinity, because we observe that the Professor is required to be a Bachelor of Divinity, or a Doctor of Divinity, that you will see at page 205 of our Calendar?
Yes.

309. You would agree with me therefore that there would be no danger with regard to the Regius Professor?
I should.

310. I think the same remark would apply to the Lady Margaret's Professor on account of the electors?
Yes.

311. We have then the Norrisian to consider and the Hulsean. If I have rightly collected who are the electors for the Norrisian (I will refer you to our Calendar at page 213), I take them to be the heads of houses, eleven of whom must be present; would it not be quite possible for a Norrisian Professor to be elected who might really not be a member of the Church of England, and not be in Holy Orders?
Yes.

312. So that we have clearly arrived at this, that without some safeguard the Norrisian Professor of Divinity migh be not only a layman, but not even a member of the Church of England?
Yes.

Rev. *H. W. Cookson*, D.D.
24th Feb. 1871.

313. I think we must admit that the same possibility applies to the Hulsean Professor (see page 216 of the Calendar); I find the electors to be the Vice-Chancellor, the Master of Trinity College, the Master of St. John's College, the Regius Professor of Divinity, and the Lady Margaret's Professor of Divinity?
Yes.

314 Two of these, we have agreed, must be members of the Church of England; we have agreed that the Regius Professor and the Lady Margaret's Professor must be so, and I think I am correct in saying that the Master of St. John's must be in Holy Orders; that I may state on the authority of the Calendar?
Yes.

315. Then we might clearly have the possibility of the Hulsean Professor being a layman, and not a member of the Church of England?
Yes.

316. We have arrived then at this, that two out of the four professors at Cambridge might, unless we are now cautious, as I have said, not only be laymen, but not even members of the Church of England?
Yes.

317. With regard to the Board of Theological studies, I inquired of one of our Cambridge witnesses whether he could suggest any safeguards, and he stated that he was unable to do so; have you thought of that point?
The constitution of the Board of Theological studies rests entirely upon the vote of the senate, and the senate can alter that board as it thinks fit.

318. So that no safeguard would seem to be possible in that case, at least you have not thought of one, perhaps?
No doubt the senate has absolute power in the matter.

319. Now if we turn to another professorship, at page 209 of our Calendar, the Moral Theological Professorship, do you confirm my opinion that clearly that professor might be a layman?
Certainly.

320. And he might also not be a member of the Church of England?
Certainly.

321. Because of the electors?
Yes.

322. Now the matter being thus serious, might I ask if you have thought of any safeguard, or could kindly inform the Committee of any safeguard, by which we might take precautions against such a very serious and not wholly impossible contingency?
I should not consider the case of the Professorship of Moral Theology, or as it is usually understood now, of Moral Philosophy, as at all in the same category as the Professorships of Divinity.

323. Shall we then confine our attention to the Norrisian and the Hulsean Professorships; have you thought of any way in which we might secure that they should be held at least by members of the Church of England; I can find nothing in the Bill that secures that, but perhaps you may have found something?
I believe there is no provision in the Bill at present which secures it; and I have not given such attention to the point as to be able to suggest any provision.

324. I will only ask you one further question relating to another matter, and another view of the subject; it has been suggested by some that it might be desirable, in any measure now to come before Parliament, and ultimately to be received, to append a clause suggesting that all fellowships should be terminable, the reasoning being that those cliques in colleges which might be of a character adverse, unhappily, to religion generally, would, after a time, by the nature of the case, be broken up; what is your view generally with regard to terminable fellowships, especially considered from that point of view?

I do

I do not think it would make any material alteration in the matter, and it would require a great deal of alteration in the statutes of the colleges. Rev. *H. W. Cookson*, D.D. 24th Feb. 1871.

325. So that you think that any movement in that direction ought to be treated separately?
Yes, it ought to be treated separately.

The Witness is directed to withdraw.

PROFESSOR GEORGE GABRIEL STOKES, is called in; and Examined, as follows:

326. *Chairman.*] WHAT position do you hold at the University of Cambridge? Professor *G. G. Stokes.*
I am Lucasian Professor of Mathematics, and I am also a fellow of Pembroke College.

327. You have paid a good deal of attention to the subject which is referred to the present Committee, have you not?
I have, of late.

328. I think you are one of those who are of opinion that a change of the existing law is practicable which might yet retain adequate safeguards for religious teaching and religious worship in the University?
I think some change might be made without destroying those safeguards.

329. Are you of opinion that the present Bill furnishes any satisfactory and complete safeguards?
I am not.

330. Will you inform the Committee in what points you think it is deficient?
In the first place I should say that the whole of the safeguards which the Bill provides, rest upon college or university statutes; now these statutes may at any time be altered with the authority of the Queen in Council.

331. By a majority of the college?
By a majority of the college or of the senate, as the case may be.

332. Many of the colleges are very small in the number of their governing body, are they not?
They are.

333. And therefore it would be possible for a majority, not representing the dominant feeling of the University at the time, but obtained through accidental elections, permanently to alter the statutes of a college?
Quite so, subject to the approval of the Queen in Council.

334. The approval of the Queen in Council would, of course, depend upon the political majority of the day?
I presume so.

335. What provision would you prefer in place of that which leaves the condition of the colleges dependent upon their existing statutes?
I should prefer that what safeguards were introduced should be introduced into the Bill itself.

336. Do you mean by that, that you would like the existing statutes to be confirmed and unalterable, save by the authority of Parliament?
Either that, or that other safeguards should be provided, with the authority of Parliament, in lieu of those which are provided by the existing statutes.

337. You would not contemplate making the alteration of the statutes dependent upon the consent of any other authority than that which is now necessary?
I have not considered that subject fully; I have heard it proposed that the consent of the visitor should be required, but it seems to me that that would be rather outside the ordinary province of a visitor.

Professor *G. G. Stokes.*

24th Feb. 1871.

338. You do not consider that that would be an adequate security?
It might possibly be adequate, but I think there are many objections to it. Indeed, I will not go so far as to say that it might be adequate, but it migh be some security; there are, however, several objections to it.

339. Will you state what the objections are?
I do not see that it would be a security at all, unless the visitor were a person distinctly connected in some way with the Church of England, a bishop, for example. Now, I think a bishop would be placed in a very unpleasant position if he were called upon to sanction some departure of the statutes from the previously existing statutes, in such a direction as to throw the college open to persons who are not members of the Church of England; he would be liable to the suspicion, if he withheld his consent, of being influenced simply by party feeling, or rather, I should say, a feeling in favour of the church to which he belonged especially.

340. Do you think that any security would be retained by requiring the consent of the University at large, I mean of the senate, to such a change of the statutes, or would there be any evils in that which would countervail its advantages?
I think it would afford a certain amount of security, but I think it is very undesirable to leave questions of that kind open in such a manner as to produce future contention. The senate is a very large body, and on a question of that kind, I daresay a large number of non-residents would come up. The way in which the question might ultimately be decided by the senate might very materially depend on the amount of canvassing which had been used, and I think that that would excite a good deal of animosity.

341. You would deprecate anything that would introduce canvassing to a greater extent than it now exists at the University?
I should.

342. On account of its disturbance of the habitual studies of the place?
Yes, and the party feeling which it excites.

343. Then if you would not seek a remedy by requiring the consent of any other authority to a change of the statutes, what are the substituted securities you would like to see embodied in the Bill?
I should very much like to see the Bill not go so far as it does in the way of a relaxation of tests. I may mention that I was concerned with a party at Cambridge which felt that some change was inevitable, and which endeavoured to suggest some method by which the inconvenience which has sometimes been felt, of eminent men being incapable of being elected fellows in consequence of their religious belief, might be obviated, and yet the religious character of the Universities maintained. Perhaps I may be allowed to refer to a paper containing some suggestions for such a scheme, which was accepted by a considerable number of the Cambridge residents.

344. What is the date of it?
There is no date to it.

345. It was composed last year, I think?
It was composed last year.

346. Will you describe the suggestions contained in that paper?
I should say that the scheme goes upon the principle of connecting religious tests rather with the duties than with the emoluments of a fellowship. That I consider the leading principle of it. The scheme proposes to relax the obligations to take any religious test in the case of fellows, with the exception of the holders of certain offices. We should not relax it in the case of a head of a college, a tutor, a dean, a chaplain, or a lecturer on theology.

347. Do you consider that the tutors have a very material influence of a moral and religious kind upon the undergraduates committed to their charge at Cambridge?
I think they have, or can have at any rate, especially in the smaller colleges.

348. And that, therefore, it is of great importance for the religious teaching of the college that their choice should be carefully controlled?
Yes.

349. What other officers, besides the heads and the tutors, would you include in the same category?

The Dean, the Chaplain, and the Catechist or Theological Lecturer, or Lecturer on the Greek Testament.

350. You would propose, in their case, to retain the existing tests?

I should.

351. What is the existing test at Cambridge?

A person on being elected fellow has to sign, in the Vice Chancellor's book, the usual declaration of conformity; a person on being admitted a member of the senate has to declare that he is *bonâ fide* a member of the Church of England.

352. By the usual declaration of conformity, you mean that which is contained in the Act of Uniformity?

Yes.

353. What is your opinion with reference to the relative efficiency of tests preliminary to appointment, and restrictive laws controlling the teaching of a person appointed?

I think that laws controlling the teaching of a person appointed are very difficult to put into operation.

354. Do you think that tests invariably succeed in their operation?

Not invariably.

355. Have you observed any tendency in recent times toward a diminution of their efficacy?

I cannot say that I have; I have cases in my mind where persons hold offices where there might be some degree of question whether they should hold them, but still these are so few that I do not think they much affect the general question.

356. Your view distinctly is, that tests are a better security for the kind of teaching given by any tutor or other authority than any restrictive laws would be?

If restrictive laws could really be put into force, they might be equally efficient, or perhaps more so; but, as I said, I think there is very great difficulty in putting them into force.

357. Is it a difficulty inherent in the nature of them, or merely in the form which they have hitherto taken?

To take an example; supposing that there were some statute against heresy, it is exceedingly difficult to define legally what heresy is; we have had instances with relation to clergymen holding certain doctrines in the Church of England, in which we have found how very difficult it is to bring home a charge of heresy, and what expense is involved in attempting to do so; I think the same difficulty would be found, perhaps in a minor degree, in the working of a college.

358. The University possesses, does it not, now, the jurisdiction and the power of expelling or degrading persons who are convicted of teaching anything contrary to Christianity?

It can expel for breaches of the statutes. The words are "*de omnibus contra statuta vel ordinationes academiæ delinquentibus.*"

359. Is the obligation not to teach heresy part of the statutes of the University of Cambridge?

I do not think it is, except as regards the University sermons. I do not recollect that there is any other provision than that.

360. Is there any other safeguard besides that of requiring tests from the authorities you have named, which you would wish to suggest?

I do not say that that would make the retention of the religious character absolutely secure; but assuming that some considerable change must be made, I am disposed to think that if we stamp the religious character of the colleges with the authority of an Act of Parliament, and make provision for securing the religious part of the teaching, at any rate we do a great deal.

Professor *G. G. Stokes.*

24th Feb. 1871.

361. May I ask what college you belong to?
Pembroke.

362. That is a comparatively small college, is it not?
It is.

363. Supposing it should happen that teaching of a kind not only not religious, but decidedly irreligious, were to establish itself as, by accident, it might, in one of the small colleges, by accidental elections, would the undergraduates have any power of escaping from that teaching?
I presume that the tutor might oblige them to attend the college lectures, if he were so disposed.

364. It would not be open either to the undergraduate himself, or to his parent, to insist upon his being liberated from that obligation?
I do not think it would.

365. At Cambridge, I suppose, you have never heard under the existing tests of any anti-religious teaching in the colleges?
No.

366. But if this measure were to pass as it now stands, you would hold such a contingency not to be wholly impossible?
I should.

367. Is there any power on the part of the University of interfering with the teaching of the colleges?
Not that I am aware of.

368. You would deprecate the bestowal of any such power upon the grounds that you have just stated, of its encouraging canvassing and ill-feeling in the Universities?
Rather, perhaps, on the grounds of the difficulty of exercising it, according to what I said just now.

369. That is to say, the difficulty of defining where heresy began?
And also the difficulty of obtaining evidence; however, chiefly on the ground of the difficulty of defining where heresy began.

370. Bishop of *Gloucester and Bristol.*] May I ask you whether you have thought of any safeguard that might be interposed so as to provide against the contingency of the Norrisian Professorship of Divinity and the Hulsean Professorship being tenable by laymen or persons not members of the Church of England?
With regard to the Hulsean Professor, there is a certain safeguard provided by the statute. He is liable to be called on by the Vice Chancellor to subscribe the three Articles of the 36th Canon.

371. Do you remember whether there is any clause of a similar kind in regard of the Norrisian Professorship?
I am not aware that there is. There are certain of the old statutes regarding the Norrisian Professorship which are retained, and those I have not before me, nor have I lately referred to them. It is possible that there may be some safeguard in them, but I am not aware that there is.

372. So that it would be fair to say that there is presumably a latent safeguard in regard of the Hulsean Professorship?
Yes.

373. Because the holder of it might be called upon to subscribe to the formulary you mentioned?
There is such a safeguard, but it is not what I should consider a permanent one because it rests upon statute, and the statutes are liable to be changed by application to the Queen in Council.

374. So that it would not be unfair to say that the Norrisian Professorship of Divinity at Cambridge, and the Hulsean Professorship at Cambridge, might be left in an unsatisfactory state by the passing of the Bill?
I think so.

375. I wish

375. I wish now to pass to another subject, namely, the religious worship at any one of the colleges; I may perhaps direct your attention to Clause 4 in the Bill. As I read that clause, I collect that the governing body of a college might alter the worship within the college chapel, so that, for example, instead of being the worship of the Church of England, it might be the worship of some other denomination?

I see nothing to prevent them from doing so, unless it be a college statute, and college statutes may be altered by application to the Queen in Council.

376. It might be possible under the same authority for there to be no religious service?

Quite so.

377. Are you of opinion that it would be very desirable by Parliamentary enactment to provide against any such grave contingency?

I think it would be very desirable.

378. Have you thought of any means by which the danger might be averted?

Of course the worship in the college chapels might be connected with the Church of England by the authority of an Act of Parliament, or the repeal of the Act of Uniformity might not be carried in relation to the college chapels.

379. So that you are of opinion that a portion of the Act of Uniformity, which was not repealed in a former Bill, but which is now proposed to be repealed, might be beneficially insisted upon?

Yes, I think that that would afford some safeguard, but I do not see that even that would secure there being worship at all.

380. You say that it would not necessarily ensure the continuance of worship; but is it not your opinion that it would do so in 99 cases out of 100?

I think in most cases it would do so, but if it should so happen that under the operation of an Act similar to this Bill, a college fell into the hands of a particular denomination hostile to the Church of England, I think it would be an anomaly that the worship in the college chapel should be maintained in conformity with the Church of England, while the governing body of the college were of some denomination hostile to the Church of England.

381. Allusion has been made in the examination in chief to what one might call for shortness, a conscience clause; do you think it would be possible, consistently with the preservation of discipline, to provide that a student should have the power of claiming a right of withdrawal from lectures in which doctrines adverse to the religious opinions he entertained were expressed?

If the authorities of the college were willing to admit students under those conditions, I am not prepared to say that I would forbid them.

382. You would perhaps agree with me in thinking that there would be great difficulties in giving such power of claiming exemption when we bear in mind the necessity of preserving discipline?

I think it might interfere with college discipline, but at the same time I think that if the tutors found by experience that it did not so interfere, they might admit students under those conditions; I would not force them to admit students under those conditions, but I would allow them to do so.

383. Have you ever thought whether it would be possible in any way to introduce that into an Act of Parliament?

I do not see why such a thing might not be done; my own notion with reference to an Act of Parliament would be, that you should first settle what you want to have, and then frame an Act which would bring that about.

384. So that there would be nothing very unreasonable in attempting, at any rate, the addition of a proviso of the nature we are now speaking of, having the character of a conscience clause?

I do not see why there should not be such a proviso; at the same time, I think it would be objectionable to force the authorities of a college to accept

Professor *G. G. Stokes.*

24th Feb. 1871.

as a student any man who might offer himself; I think that the present discretion should be left with them.

385. Earl of *Morley.*] I understand you to say that you object to the safeguards in the Bill on the ground that they depend upon the governing bodies of the colleges; do you anticipate, if this Bill were passed, a large influx of a Nonconformist element into the colleges?

I do not anticipate that if this Bill passes there will be a large influx of a Nonconformist element into the colleges, but I look upon it in this way. Take the case of a small college. The number of fellows existing in the course, we will say, of a hundred years, might be mainly members of the Church of England; there might be an enormous preponderance of members of the Church of England; but if at any one time during that hundred years a majority of the governing body happened to be hostile to the Church of England, they might get the statutes of the colleges altered in a manner which would be exceedingly detrimental to that Church.

386. But in the event of a large element, say a majority of the governing body of the college, being thus hostile to the Church, do you think they could maintain the restriction which you propose, of the tests being attached to the tutorships, and to all the important offices of the college?

If it were fixed by Act of Parliament, they would have no power to alter it.

387. Do you think, looking to the state of public opinion in the country, that such a state of things would continue?

I think it would; in the example I took, I supposed that this was merely a temporary majority.

388. Are the tutors and lecturers at Cambridge, as they are at Oxford, very often the same people?

The tutors are lecturers, but there are lecturers who are not tutors.

389. Then it might be that the best man in the governing body of a college as a lecturer and tutor might be a person who would not take the tests?

He might still be a lecturer.

390. Lord *Hartismere.*] I understood you to say that you thought that the abolition of some tests, or some modification of the tests, was requisite in the University, but that, at the same time, your opinion was in favour of establishing some permanent safeguard against the introduction of irreligion?

Quite so; by a "permanent safeguard," I mean a safeguard depending upon an Act of Parliament. This Bill proposes to remove safeguards which at present depend upon an Act of Parliament, and I think it is expedient that whatever safeguards are provided should have the force of an Act of Parliament, and not rest merely upon college statutes.

391. I understood that your proposed safeguard was to open all fellowships except those connected with tuition, and in fact with power, in the different colleges?

Yes; I did not propose to go so far in the direction of retention as even to include all that are connected with power, but those which are connected with religious education and moral discipline.

392. Do you think that a safeguard of that kind would be a permanent one, even if secured by Act of Parliament; do you not think that by narrowing the limits of exclusion, you would be likely to raise still greater discontent in the minds of those who are anxious now to do away with University tests, than exists at present; and that therefore the restriction would not be permanent?

The discontent which at present exists, arises apparently, in great measure, from the fact that now there are men who take high degrees, who are not admissible to fellowships on account of their religion. I think that cause of discontent would be wholly removed.

393. Then you consider that your proposed provision of that kind would be a permanent safeguard?

Yes; I do not consider anything really permanent, however.

394. The most permanent?
As permanent a provision as you can well devise, supposing we go so far.

395. Would it be more permanent than these two proposals; on the one hand, that certain separate fellowships should be set apart in each college as University prizes, the others being held as at present; and on the other hand, that certain colleges should be open to all denominations?
Those two other plans have been before us, and they were thought to be liable to certain objections, but I am not prepared to say that the one which I have proposed would be more permanent than those.

396. Lord *Colchester.*] What is the size of the governing body of your college?
The governing body of our college consists of the master and all the fellows.

397. What is the number of the fellows?
The number of the fellows is 13.

398. Do they all take part in the government?
Yes.

399. I suppose that the college meetings which would regulate those matters which you have referred to, as depending upon statute, are usually attended by the whole number of the governing body; I mean a college meeting at which any question regarding religious instruction would come up?
A college meeting at which some very important question came forward would naturally be attended by nearly all the fellows; but as regards the ordinary work, the college meetings are attended only by the residents.

400. Then about seven or eight would form a majority of the whole, the total number being 14?
Yes.

401. So that in the absence of one or two, six fellows of the college might decide a very important question?
They might.

402. Do you apprehend under this Bill an influx, mainly of Nonconformists, or of persons having no definite religious opinion whatsoever?
I should rather fear the introduction of persons having no very definite religious opinion whatever.

403. And they have, to a certain degree, been kept in check by the present tests, have they not?
I cannot answer that question from my own knowledge.

404. Do you think that in your own college the existence of the tests has saved you from the evil of the introduction of persons of very indefinite opinions, who otherwise might have been elected fellows?
I do not at present recollect any instance in which a member of my college who had taken a high degree has been excluded from a fellowship by tests.

405. Then you elect entirely amongst members of your own college?
We are perfectly free to elect by our statutes from the members of any college at Cambridge or Oxford, but as a matter of practice we nearly always elect from our own college.

406. But you would be justified in giving the preference to a member of your own college even if he was not decidedly on a par with a member of another college; that is the custom, is it not?
That is the custom, and it is the custom in the colleges generally.

407. What were the objections, which you stated might be felt to the idea of making certain colleges denominational, and others undenominational?
There is the objection in the first instance, that the colleges are connected with the Church of England, and is it right to take arbitrarily a certain college and hand it over to another denomination?

408. That would be an objection, which would apply to the principle of the Bill generally, would it not?
It applies, to a certain extent, to the principle of the Bill.

Professor G. G. Stokes.

24th Feb. 1871.

409. Do you not think that in the case of certain colleges being denominational, the test might become morally much more effective than it is at present by excluding persons who would feel if they had the right of going elsewhere, that they had not the right to go to a college which retained tests which they ought not to take?

I do not think upon the whole that tests are inefficient at present.

410. You do not think that their efficiency would be increased in the way I have suggested?

It might be increased, but at the same time, as I said, I think that they answer as it is.

411. Is your college a post-Reformation or a pre-Reformation foundation?

Pre-reformation.

412. Have you any idea what amount of endowment, or what number of colleges at Cambridge, are post-Reformation?

By far the greater number of Colleges are pre-Reformation.

413. Have the older colleges any endowments of later date which are post-Reformation, and which have been added?

I think they have.

414. Assuming the general idea that the Universities should be open to the nation at large, do you think that there is any fitness, considering the divided state of opinion in the nation in favour of and against denominational education, in assigning formally one part of the University to those who hold one view, and the other part to those who hold the other view. In the first place, you would consider that there is a divided opinion in the nation for and against the denominational system, would you not?

Yes.

415. Should you think, supposing a change were necessary, that a division of the University into denominational and undenominational elements would be fairly suited to that difference of opinion in the country?

I think there is no doubt that it would reflect the opinion of the country so far.

416. As to another point, I think you stated that the holder of one professorship might be deprived if he refused to sign the three Articles of the 36th Canon?

Yes, I alluded to the Hulsean Professorship.

417. What I wanted to ask was, whether you considered any such restriction or restrictions would be swept away by the 3rd clause of this Bill, or whether they would remain if it was passed?

I think they would be swept away; I had not considered that point.

418. Therefore any such restrictions must be specially re-enacted or added to the Bill?

Yes.

419. Then it would be possible that several Professors of Divinity and Divinity Lecturers might not be members of the Church of England if no measures were taken to prevent that contingency occurring?

Yes, some might.

420. And I suppose College Divinity Lecturers also?

Yes.

421. You would require such Divinity Lecturers, I suppose, to be members of the Church of England?

Yes.

422. That would be one of the safeguards you would propose?

Yes.

423. But which the Bill itself does not provide?

Yes.

424. Lord *Rosebery.*] Do you think that any persons holding opinions hostile to religion are deterred from taking fellowships by the tests?

I know

I know instances, of course, in which persons who are not Christians have been unable to obtain fellowships; Jews, for instance.

425. I thought when you said you feared the introduction of people hostile to religion, you meant persons who were nominally or who had been brought up Christians, but who were practically unbelievers?

That is what I should most fear, and I confess I do not think that the system of tests wholly excludes such persons; at the same time if a person becomes a member of a college, having taken a certain test, he feels that it would be inconsistent with the profession which he made to do anything directly hostile to religion.

426. Then it is not the possible introduction of Jews, or Brahmins, or people like Baboo Chunder Sen, into the University that you fear, but the introduction of nominal Christians, who at the time of taking the test might be considered as unbelievers?

What I feel is this, that if the atheist, or the infidel, felt that he entered a college by the same right as a member of the Church of England, there would be nothing whatever to keep him from attempting, if he liked, to promulgate his opinion.

427. Earl *Cowper.*] Your plan, as you stated it roughly, I think, was that you thought that there might be a means of connecting religious tests rather with the duties than with the emoluments of the colleges and the Universities?

Yes, quite so; that I consider to be the principle of the plan.

428. Is not it rather growing every day to be considered more and more objectionable that the emoluments and the duties should not go together; is not there a feeling that fellowships with emoluments attached to them, but with no duties, ought not to exist; that there ought to be duties attached to all fellowships?

Fellowships actually act as an incentive to exertion, and their office in that respect, I think, is generally admitted; I do not know that many people at any rate would propose wholly to abolish that. A fellowship may be looked upon either as a prize for early exertion, or as a reward for doing certain duties in connection with education, or partly one and partly the other.

429. But you think that the mere motive to exertion at the time, namely, the hope of getting a fellowship, is quite a sufficient reason for the fellowship existing?

I do.

430. You do not mean that there is anything in the idea that duties ought to be afterwards attached to it?

I think the incentive to study which it affords is a sufficient reason for its existence. At the same time I have long felt that the present system of free tenure by non-residents is an abuse. I think the prize is too great as a reward merely for early exertion.

431. Lord *Houghton.*] Has that plan of yours taken any active form in the way of petition to the Houses of Parliament, or of being brought before the senate, or in any way being realised?

A petition went in last year from the Senate, but no specific plan was embodied in the petition.

432. I thought this question had been agitated for a considerable length of time, in one form or another, before the University?

It has of late years especially.

433. Has any portion of the governing body of the University shown any willingness to make a compromise upon the subject?

Some considerable portion has.

434. But not a portion sufficiently considerable to take any action?

If by the governing body of the University you mean the senate generally, which really is the governing body, they are widely scattered over the country, and I should not say that a large number of them have come to agree in any one plan. But if I confine myself to the residents, a considerable number of

Professor *G. G. Stokes.*

24th Feb. 1871.

them were willing to accept as a compromise a plan of this general nature? There were others again who thought that it was going too far.

435. The ultimate fact was, that no action was taken?
No definite action was taken as regards that plan.

436. Do you not think that the feeling upon the matter has now gone so far that compromise is almost impossible?
I should not say that.

437. A compromise would have been more probable a few years ago, would it not?
Probably.

438. Lord *Lyveden.*] You stated in answer to a question put by the noble Chairman, that if this Bill passes it would be possible that irreligious teaching should take place in the lectures of the colleges?
I think it would; I do not think that such an effect would be produced at once, nor for many years, but I think that that effect might ultimately be produced.

439. Is that evil impossible now?
I think it is practically impossible, considering the whole tone of the place.

440. But not from any restriction, or any test, or any other of what are called the securities?
As a consequence of the present connection of the colleges and Universities with the Church of England, I think it is practically impossible at present, or all but impossible; there would be an outcry if anything flagrant of that kind took place.

441. Supposing a lecturer should have changed his opinions from being a Churchman, or supposing that a person who originally did not strictly believe in the Christian religion, got into the chair in a small college, what would exclude him from it in consequence of his publicly teaching irreligion?
As a general rule, tutors are capable of being removed by the Master, with, perhaps, the concurrence of a majority of the governing body.

442. By whom would he be expelled from the chair?
I do not know whether your Lordship refers to a college lecturer or to a University professor.

443. A college lecturer in a small college, for instance?
The tutors are capable of being removed by the Master and fellows generally.

444. By a majority?
The rules are different in different colleges; but as a general rule I should say that he would be removable either in that way or by the Master, subject to a veto.

445. But unless they chose to remove him, the lecturer would be irremovable?
Unless he were removed he would remain there.

446. How would this Bill make it more open to allow him to continue than it is at present?
It would, or might, affect very materially the character of the governing body.

447. You mean that the whole of the fellows who would have the power of removing him might be of his own opinion?
Yes.

448. You are an advocate for the abolition of tests, are you not?
I think it inevitable that something must be done in that direction.

449. Having considered this Bill and the circumstances of the case, would you prefer that this Bill should pass with the imperfections you have stated, or that it should be altogether rejected this Session?

That

That is a point involving more politics than I like to express an opinion about.

450. You have stated your own opinion to be in favour of great alteration; I want to know whether you consider this proposed alteration so mischievous a one, that you would prefer rejecting it to having no alteration in the law at all?

I am disposed to think I should, even assuming some considerable alteration to be ultimately inevitable, in which sense only can I be said to be in favour of great alteration.

451. Have your ever considered whether it would not be well to make a limitation of tenure, in point of time, to all fellowships, without considering marriage or Holy Orders, or any other reason for their being given up?

I have long thought that the tenure in the case of non-resident fellows should be terminable, irrespective of celibacy; but as regards residents I certainly feel that there is one advantage of the present system which I should be sorry to lose, and that is that it enables a person, without care for the future, to throw himself into some branch of study or literature, and so, as I conceive, make a very good use of his fellowship; and also, I think, that the remuneration for the discharge of the duties of a college would be hardly sufficient if the fellowships were terminable after a small number of years.

452. Earl *Stanhope.*] You spoke sometime since of the visitorial power; I should like to learn from you exactly how it is exercised at the Cambridge colleges; does it take place necessarily at a fixed term of years, or is it exercised on special occasions at the discretion of the Visitor?

I am not aware that there is any college at which there is a periodical visitation; but if a member of a college felt himself aggrieved by any decision, then I presume he would have the right of appeal to the Visitor.

453. Would that appeal be entertained by the Visitor as a matter of right, or merely at his discretion?

I should think it would depend upon the college statutes; I presume that, as a general rule, in the case of undergraduates there would be no appeal to the Visitor, unless possibly there might be in the case of a scholar.

454. Practically, does any long term of years sometimes elapse between the visits of the Visitor?

I think so.

455. Are there instances of Visitors who have never visited?

Practically, I do not think it would be considered to be the duty of a Visitor to visit in the sense of going there personally and making an inquiry.

456. Not unless he had a complaint brought before him?

Quite so.

457. Earl of *Harrowby.*] If these contemplated changes are made, you would think it very important, would you not, for the rights of conscience, that protection should be given to an undergraduate against compulsory attendance upon any course of lectures in a college?

I should think so.

458. You would be opening the door of course to every kind of doctrine or anti-doctrine, and there would be a good deal in the present system which would compel a student to attend lectures which he or his parents might think extremely injurious to him?

Yes. Of course, I refer to lectures which bear upon religion; there is no reason why he should not attend a lecture upon pure mathematics.

459. *Chairman.*] I suppose you would require the protest to come from the parent or guardian, and not from the young man himself?

I think, as a general rule, the protest should come from the parent or guardian.

460. Earl of *Harrowby.*] Do you not think that a young man of 18 or 19 is of an age to have something of an opinion of his own upon these points?

I think he is, and for that reason I put in a qualification in my answer.

461. *Chairman.*] Do you not think that the general tendency of undergraduates is not to attend more lectures than they can help?

Professor *G. G. Stokes.*

24th Feb. 1871.

I think so. Of course there must be a provision for the conscience clause not being abused in that manner.

462. Earl of *Harrowby.*] You see no title that a mere intellectual distinction gives to a man to a share in the government of any educational institution if, for the purposes of that education, his presence would not be desirable?

No, I do not see why it should do so.

463. You may think him entitled to a reward for intellectual distinction, but you do not consider that a share in the government of a place which he would damage by having that share is of necessity a claim to which he is entitled by his exertions?

Just so.

464. Is not that distinction constantly overlooked in the arguments upon this matter?

I think it is.

465. Is not stress almost entirely laid upon the hardship of depriving a man of intellectual distinction of the rewards which belong to his success?

I think it is.

466. But very little pressure is laid upon that other point, that a young man is to be entitled not only to a pecuniary reward, but to be admitted to special functions from which there may be good reasons for excluding him?

I think but little stress is laid upon that, and that a great deal more stress ought to be laid upon it.

467. You think that the present system of the protracted holding of fellowships gained at that early period, merely terminable by the act of marriage, or of obtaining a benefice, is in itself injurious?

I think in some cases it is.

468. Should you not rather see it permanently attached to circumstances independent of marriage or obtaining a benefice?

I should.

469. For instance, it should not be voidable by the holding of a small benefice?

Just so.

470. It should not be voidable by marriage; and if a person were certified to be pursuing studies connected with science and learning, it might be open to the college to protract his fellowship beyond the ordinary limit?

Yes; I should not myself connect the tenure of a fellowship with celibacy directly at all, but only incidentally, in so far as the tenure might be connected with the duty of residing in college.

471. But in all cases would you compel a man, because he is a tutor, to reside within the walls of the college?

That must depend upon the circumstances of the different colleges; I think it is very desirable that at least one tutor should reside within the walls of every college.

472. But that would be within the power of the college itself to determine?

Yes.

473. The college should have the power of enforcing residence within the walls whenever it thought fit?

Yes.

474. You think it very important as much as possible to strip the Bill, whatever its provisions may be, of any appearance of undervaluing religious education by the terms that are employed?

I think so; I think it would be important, not only that it should be stripped of any appearance of disregarding religion, but that it should be expressly stated that the object of the Bill was to promote the usefulness of the college as a place of religion as well as of education and learning.

475. You would be glad to see some clause introduced recognising the provision of that kind which now exists in the University statutes?

I should;

I should; and not merely recognising it, but giving it the force of law, in so far as it is looked upon as a safeguard at all.

Professor *G. G. Stokes.*

24th Feb. 1871.

476. *Chairman.*] Has it ever come to your knowledge that books are examined upon in the public examinations, to which objection is taken by any kind of Christians, or by members of the Church of England?
I am not aware of any such case.

477. That has not been your experience at Cambridge?
No.

478. Bishop of *Gloucester and Bristol.*] Are you satisfied that clause 3 of the Bill which is now before Parliament is insufficient to secure the heads of colleges continuing to be in Holy Orders?
It is not sufficient, because it throws it back upon the college statutes.

479. I asked the question, because it seems to me that the clause does secure it, but I wished your opinion upon it. Will you look at the clause with proviso No. 1?
It seems to me that that clause merely prevents the Bill, if it becomes an Act, from throwing open those offices, but it does not prevent its being possible to throw them open afterwards by an alteration of the college statutes. It does not by its own force throw open the headships, certainly.

480. But would not the words "any statute or ordinance of such University or college," seem to enact that those who now by college statute are required to be in Holy Orders shall remain so until Parliament abolishes the requirement?
I am disposed to think that it might be so interpreted, but I had not considered it from that point of view.

481. On the whole, you incline to my present opinion, that the proviso No. 1 does sufficiently secure the point in question?
I am disposed, on reading it after your Lordship's explanation, to think that it secures more than I thought at first, and that there is that difference which you have pointed out.

The Witness is directed to withdraw.

Mr. CHARLES APPLETON, is called in; and Examined as follows:

Mr. *C. Appleton.*

482. *Chairman.*] I BELIEVE you are a Fellow of St. John's College at Oxford?
I am.

483. I think you have paid great attention to the subject into which this Committee is inquiring?
I have for some time.

484. And you entertain views upon it, which you desire to lay before the Committee?
I am rather desirous of answering, to the best of my ability, any question which may be put to me; I have views which I have arrived at upon one or two points, but I think they will come out in the course of discussion.

485. You have seen the Bill, I presume?
I have.

486. I do not know at all from what point of view you approach the subject; are you anxious for the abolition of tests?
I am anxious for the abolition of tests, and I have taken part in meetings in Oxford having that end in view.

487. Are you anxious for the unreserved abolition of tests?
I am.

488. Do you think it desirable that there should be any subsidiary provision for mitigating any of the results which the advocates of tests fear from their abolition?

Mr. *C. Appleton.*
24th Feb. 1871.

I think that the apprehension of any great change for the worse taking place in Oxford, owing to the abolition of tests, is unfounded; I think that, practically, the entire abolition of tests would make very little difference.

489. Will you forgive my asking what meaning you attach to the words "for the worse"?

I used them rather in the sense of that which I believe this Committee would regard as being for the worse, namely, that Oxford should become a place where the foundations of religion should be systematically undermined, and where theology should cease to be promoted as a study; that was my meaning in using the words "for the worse."

490. Will you give me your grounds for holding that opinion?

At present, the tests really touch only a very small proportion of the young men who go to Oxford. Practically, those who sign the tests with any feeling of unwillingness to do so, are not more than 200 or 300 out of the whole body of men there. The persons whose case it seems necessary to consider are mainly those persons who come in contact with revolutionary agencies in thought; and the majority of men in Oxford do not come in contact with any such agencies. I should regard those who come in contact with them as being entirely or mainly those who study philosophy and history for the final classical school. We may calculate in this way; each class list consists of about 50 men; that will give 100 men in the course of each year; and there will of course be another 100 men who will be getting ready for their degree in a year's time; and another 100 who will be getting ready for their degree in two years' time; that yields at any given moment, in the University, a number, which may be taken roughly at 300 men, who are brought under the influences of the philosophy of modern times, which might, and which does, as I think, materially undermine all existing beliefs. I think it is quite impossible for any man to throw himself into the system of education for the final classical school at Oxford at the present time, as so much knowledge, but really to assimilate it, I mean not only to study it *ab extra*, without having the whole edifice of belief shaken to the very foundation. At the same time the agencies which are brought to bear upon him, the philosophical ideas and modes of criticism, not only destroy but ultimately reconstruct belief; and what I should say with regard to tests is this, that the test intervenes with a definite proposition which a man has to subscribe, just at the time when he is beginning to reconstruct the edifice of belief naturally out of the ruins which had been undermined.

491. Do you think that that reconstruction is, apart from the test, generally successfully completed?

It is doubtless much interfered with by the test; that is one reason why I desire the abolition of tests. I will refer, for an illustration, to Germany. I speak of Germany in connection with Oxford, because the ideas which are now prevalent at Oxford, and which touch the kind of man I have referred to, are for the most part the ideas of thinkers in Germany. In that country where no tests are imposed, and where every University student is left perfectly free to form his opinions, and neither parents nor tutors interfere with him, this reconstruction of belief, to which I have referred, takes place healthily and naturally. He returns to a new construction of belief after he has gone through the period of criticism and scepticism.

492. Your view is, then, that just at the time when he would be called upon to sign the test he is in a state of mental soreness and sensitiveness?

I would not call it by that name; I should say that all the ideas in his mind have been shaken; he has taken them one by one from their place and their associations, and he has been led by the books he has had to read, and by the methods of thought he has had to practice, to isolate them, to criticise them, and to analyse them into their component elements. The process of reconstruction, which begins then, is a very slow one, and it is exceedingly important that it should not be interfered with whilst it is going on. Whereas now when the process is at its height, the University comes in with its honours and emoluments, and says, "That which we have taught you how to question for the last five years, we now demand that you shall definitely and finally believe."

493. That

493. That is on his taking his fellowship?
Either on his taking his fellowship or his Master's degree.

494. But now assuming that Parliament adopted the view of the last witness, and pushed the test back to the tutorship, do you think the process of reconstruction would be in time for that?
That quite depends upon when the tutor is appointed; as a matter of fact the tendency in Oxford at the present time (I can only speak of Oxford, for I know nothing whatever of Cambridge) is to appoint exceedingly young tutors.

495. It is true, is it not, that half the congregation is under 30 years of age?
I should think that might be approximately true.

496. I should like to ask you one or two questions with respect to this process of shaking to the foundation the whole edifice of belief which you have described as being the result of the metaphysical studies of Oxford; I suppose Aristotle is not guilty of that?
Aristotle has very little to do with it. But there are other philosophical studies besides Aristotle

497. It is the commentators or improvers upon him who are guilty?
No, it is not that; but there are a great number of books which do not appear in the lists which are actually read and taught to a great extent, such as the works of the great foreign, and especially the German, philosophers of the last 100 years, and when I spoke of the revolutionary influences, and also of the constructive influences, I was thinking of them.

498. I suppose they are not read for amusement; they are read because it is thought that they will help a man in the schools?
They are read because they are thought to be educationally good, because some of them have recently been translated into English, because they are new in this country, and because it is almost necessary to know something about them for the purpose of obtaining a fellowship.

499. Do you mean to say that they form part of the subject of examination for a fellowship?
In the better colleges there are generally one or two men who have already obtained fellowships who read these books habitually and study German philosophy, sometimes in the original and sometimes in English translations; these men would probably have a hand in setting the papers.

500. You mean that a man who himself has read Hegel will not elect anybody who has not read Hegel?
I should be very sorry to say that.

501. Still you mean that a knowledge of those German authors is regarded by the electors to fellowships as an indispensable qualification for fellowships?
Not by any means.

502. But in many cases?
It enters extensively into the literary and critical character of the training which is expected from the best men who go in for fellowships. A man may be asked questions about all kinds of things in philosophy, literature, and politics, and he is expected to know something at least of what the greatest thinkers of modern times have said about them.

503. And the greatest thinkers are classified according to the admiration felt for them by the existing fellows?
No; but there is a general agreement of opinion respecting the importance of studying a philosopher like Kant, for instance.

504. I was going to ask a question upon that point; how far does this kind of reading go back chronologically?
I should say to Kant.

505. Everything of note in German literature, since Kant, must be known by a candidate for fellowship?
Certainly not.

Mr. *C. Appleton.*
24th Feb. 1871.

506. Still there must be a very considerable acquaintance with those authors, whether the candidates or the fellows are supposed to agree with them or not?

Not really a considerable acquaintance, but there are certain books which are read by candidates for fellowships almost as carefully as Aristotle. I should say Hegel's Philosophy of History is read as carefully as Aristotle. A great number of men (very many more than formerly) read German, and they will read Hegel's History of Philosophy and other books of the same kind. At this moment there are lectures being given, or about to be, in Oxford on Hegel's Logic, which is one of the most revolutionary instruments that has ever been invented.

507. But I do not suppose that the candidates read these books out of gaiety of heart, they read them because they feel themselves obliged to do so for their examination; how is that motive brought to bear upon them?

I do not think they read them for either of those reasons; the fact is they are brought in contact with the ideas of these German philosophers, and the ideas themselves have an attraction for them.

508. Then they read the books because they like them?

Yes, certainly.

509. This is really a very important part of the question which we have to consider from its bearing upon the religious safeguards in the Universities, for into every consideration of that subject the effect of these agencies, destructive of religious belief, must enter; can you give me at all an idea of the number of books on philosophy which an average candidate for an Oxford fellowship now has to read?

He is only supposed officially to read the books which are set down in the Calendar, but as a matter of fact indirectly he comes in contact, as I have said, with an immense number of other books. It is expected that a man will read Spinoza, Hobbes, I do not say all, of course, but portions of their writings. Portions of Locke, of Berkeley, and of Hume are also read; and the *First Principles* and *Psychology* of Mr. Herbert Spencer are beginning to be very widely studied.

510. Have you mentioned Kant?

I have not come to Kant yet; many men are reading Kant's *Critique of the Pure Reason.*

511. And Fichte?

No, Fichte is not read at all; Fichte's popular writings are dabbled in by some men for pleasure, or at least those which are translated; but Fichte's more serious writings are not read at all.

512. Hegel?

Hegel is considerably read indirectly. Sterling's Book on the Secret of Hegel is not a very dangerous one, because it darkens that which is already dark; but the translation of Hegel's Philosophy of History is, as I have said, very generally studied, indeed I may say almost universally, by men going in for the highest honours in the classical school.

513. And Schelling?

Scarcely at all.

514. Marheineke?

He is not read at all.

515. Which wing of Hegel's Philosophy is accepted in Oxford?

As a general rule, "the right wing."

516. You have not mentioned Stuart Mill; I suppose he is extensively read?

Stuart Mill is read to be criticised; he is criticised much more now than he was when I was a student myself.

517. Do you mean that he is read in a hostile spirit?

He is read in a critical spirit; he is criticised from the point of view of a different system.

518. Has Butler altogether disappeared?

Butler has very little influence upon any examinations now. His "Analogy" is still one of the books to be taken in for the degree, and it is demanded sometimes. I have known men get a lower class than they otherwise would have obtained, from their ignorance of Butler; but most of the examiners who now go into the schools are of opinion that it is very undesirable to use a book so unsystematic as Butler, and therefore they slur over the examination so far as Butler is concerned.

519. Has French philosophy taken the same place as German at Oxford; Comte's, for instance?

Not as a matter of education. I think it is studied in after years by men who have got fellowships; Auguste Comte is studied then. Men learn in a general way the system of Comte before taking their fellowships, but I think it is not studied very deeply. Very few people have read Comte himself.

520. I do not know whether I have quite made myself understood. I wanted to ascertain whether actual examination in those books formed part of the trial for a college fellowship, or whether it was only the general condition of mind which the reading of those books might be supposed to bring a candidate into, that was believed to conduce to his success?

The latter, the critical attitude of mind which philosophical study produces.

521. That, I suppose, is known to the coaches generally, and they enforce it upon the candidates as a matter of prudence?

There is no practice of enforcing it; there is no enforcing upon the candidates. A candidate knows that a particular kind of literature is expected by the examiners for the fellowships, and now this literature takes a very wide sweep; it is no longer merely English, but it includes French, and still more German; therefore, if they know nothing of those things when they take their degree, after they have exhausted the books which are set down for them to read, they frequently apply to persons who are competent to instruct them in more modern studies, and who direct their reading in these subjects.

522. And if you know that one of your examiners is very much skilled in this literature, it is part of your precaution to read that literature yourself?

It might be wise to do so.

523. That is a recognised maxim of prudence in preparing for examinations for fellowships, is it?

Not always; a man may feel himself very strong upon some quite different subject, and then he may not take this precaution. The best men, those who get the best fellowships, are perfectly free in their reading, and do not modify it at all according to what they believe to be the desires or the tendencies of the examiners.

524. I understand your view to be, that the great danger to religious teaching is from this preliminary process, and that if it is arrested by any artificial agency, before it has issued in a more wholesome reparatory process, there is danger of confirmed infidelity?

I do not think there is any danger in the process of negation itself; I think it is a process of discipline which an educated man may wholesomely go through. But the danger arises as soon as you interfere with it, and stop the process of reconstruction; such a stoppage produces a vagueness of mind on all questions connected with the foundations of knowledge and of religion. As a matter of fact, a man who has criticised all ideas for several years, and then is called upon to sign a test and state his *bonâ fide* adhesion to certain propositions, is led naturally to avert his mind from any consideration of those questions at all, because they now involve a contradiction, and by instinctively making both terms of the contradiction vague, he is able to reconcile them better. There is no set purpose in all this: it takes place almost unconsciously.

525. Supposing that, instead of a test, some species of restrictive or punitive legislation was resorted to, would that have the same damaging effect upon the mind of a man going through the process of which you are speaking?

It would, no doubt.

Mr. C. *Appleton.*
24th Feb. 1871.

526. If he was forbidden to teach, for instance, anything contrary to the Christian religion?
I think that that would practically be a nugatory provision; as a matter of fact people do not teach things contrary to the Christian religion in Oxford.

527. Never?
So far as I know, the strictest and most delicate reticence is always observed in approaching the mind of a young man, so as not to upset his beliefs; but I believe the upsetting of his beliefs, and the entire loosening of them from all their moorings, is an inevitable consequence of the system of education which now exists in Oxford.

528. If you were told that a tutor in an Oxford College had at any time (no matter when) recently prepared the minds of his pupils for taking the Communion, by teaching them that the facts stated in the New Testament were untrue, you would not believe that assertion?
I have never heard of such a thing.

529. At all events, it appears by the fact of your not having heard of it, that, if it has occurred, it must clearly have been an exceedingly exceptional instance?
I should think so.

530. Is it within your knowledge that Lecky has ever been read for the schools?
Never as a text book; I think it is extremely probable that a question may have been set out of the *History of European Morals*, when it was a new book. It is a very common practice for examiners, in the classical school for honors, to take for granted that the best men who are offering themselves as candidates will have read the latest literature which has appeared, and therefore they set a question upon some important point in order to see whether they have done so. If, for instance, a question, as is very frequently the case, were set upon Utilitarianism, a man who went in for a degree after Lecky's book had come out, would be supposed to be acquainted with Lecky's views upon that subject; so there might be questions asked connected with the History of Rome under the Empire, upon which a man would also be supposed to know Lecky's views. Except in that indirect way I have never heard of Lecky being used as a text book.

531. How far is that carried; is a man, who is examined in Divinity, supposed to know what Strauss' opinions on Divinity are?
I should think not; I do not speak of the Theological school, of course, for that is quite new, but with regard to the examination in Divinity at the pass examination, a man is only expected to answer the most obvious questions; he is not supposed to have read any literature connected with the New Testament.

532. Supposing tests were abolished, it is your opinion that there would not be more persons who would be disposed to teach in a sense hostile to the received doctrines of Christianity than there are now?
I do not think it would make the slightest difference. As a matter of fact, the test at present is so framed that it excludes a Dissenter or a Roman Catholic, but does not exclude an Atheist or an unbeliever of any kind. Unless I am mistaken, the test which is at present exacted for a Master's degree at Oxford, is to the effect that the signer believes that the doctrine of the Church of England is in agreement with the Word of God. That excludes a man who believes in the Word of God, but does not believe that the doctrine of the Church of England is in conformity with it, whilst it includes not only the man who believes that they agree and that they both stand, but it includes also the man who believes that they agree and that they both fall.

533. Is that the test in the Act of Uniformity?
No, I think not; that is the latest modification of the test which has to be signed at Oxford.

534. You mean that that was the test put into the Act a few years ago?
Yes, it was introduced quite lately.

535. I have

535. I have here a memorandum by the provost of Oriel, which must be right, from which it appears that a man has to assent to the Thirty-nine Articles of Religion; there would be some of them which it would be difficult for an Atheist to assent to; but on reading on, I see you are right. A man has to declare the formularies of the Church of England to be agreeable to the Word of God; of course he construes the whole together?

Yes.

536. Is it your impression that the feeling has gained ground of late years that it is justifiable to take a very elastic and liberal view of the obligation of these tests?

Yes, I think, as a general rule, that there are two classes of persons who sign the test with reluctance; on the one hand, those in whom this negative process which I have spoken of has gone to some extent, and who when they sign the test, simply relapse into what is called undogmatic Christianity; and on the other hand there are those in whom the test produces a powerful antipathy to all religious ideas, and who do not feel in the least degree bound by it. The latter class of persons would explain their acceptance of the test by saying that these formulæ are formulæ which have become entirely obsolete in their character and language, and that therefore having no relation whatever to modern thought, they may be both affirmed and denied equally *bonâ fide.*

537. They are signed like so much gibberish?

No, not like so much gibberish, but upon the theory that they do not admit of definite affirmation or definite denial, and that they are outside the modern mind altogether. I think that is a very general and growing impression with persons who have come in contact with the philosophical education of Oxford, that the test is not to be refused, because modern ideas are so completely outside of the propositions to be signed that it is scarcely possible to find distinct points of contact at which the two can be said either to agree or to disagree.

538. Therefore your view is, that with the more philosophical minds it is a safeguard, supposing it to be a safeguard, of continually diminishing value?

Yes, undoubtedly, of continually diminishing value.

539. And that, apart from the action of Parliament altogether, if the test was left alone for a certain number of years, its value would almost disappear?

I think its value has disappeared.

540. It has absolutely disappeared, in your opinion?

Almost entirely. I should think that, with one or two exceptions, everybody in Oxford would take the test. The person who refuses the test, on the ground that he dislikes being bound by it, is a person of very rare occurrence indeed.

541. Do you think that the only persons who refuse it are persons who are committed to some formula opposed to it, as Dissenters or Jews?

Yes, I think so; Dissenters, Jews, or Roman Catholics.

542. Earl of *Harrowby.*] Do you think that it is quite wise or safe to put the plastic minds of youth, at that age, into the hands of those persons who have not yet formed their opinions, but are in the process of reconstructing them. Would it not be better that they should stand aside for a while, until that process is completed, before they become the instructors of others?

I think, theoretically, that is so, but practically, great abstinence is used by the younger tutors, so as not to thrust their opinions upon the pupil. I believe there is scarcely any tutor in Oxford, if any, who, if he were in doubt or difficulty himself, would at all allow his pupil to be aware of the fact. He would take pains to divert attention from any difficulties which he felt himself. He might, and probably would, refuse to teach the subjects upon which he felt a difficulty.

543. Do you believe that the present obligation is no restraint upon a tutor who is in that uncertain state of mind, from infusing all the doubts and difficulties which he feels into the minds of the young men who are placed under his charge?

The really practical restriction upon such a course is a feeling of honour and of gentlemanly conduct.

Mr. *C. Appleton.*
24th Feb. 1871.

544. Would not that be withdrawn if you told the tutor that you did not care what faith he had?

I do not think you would tell him that. By the simple removal of tests you would not say, it does not matter what opinion you hold; you would simply remove the test, and he would remain as before; there is nothing to prevent him from inculcating his views indirectly now. I do not think that the existence of the test at all stops the progress of opinion in Oxford.

545. Do you think that there is no sense of honour created by the obligation under which a man is placed at present?

I do not think it comes into the minds of people that they are restricted from saying, not to their pupils, but to each other, anything they feel disposed to say, or from thinking anything they feel disposed to think in consequence of the test.

546. You know that oaths of allegiance have had considerable restraining effect upon the minds of men at different times?

I believe they have.

547. Are we to understand that the kind of feeling has gone by entirely in Oxford in which an oath or any similar obligation would produce any effect?

I should not say that.

548. When those examinations in moral philosophy take place, is there any character given to the examination which implies an acquiescence in or controversy with opinions hostile to religion?

No; so far as I am acquainted with the examinations, that does not come into consideration at all.

549. All religious opinions are treated in the examination as a matter of perfect indifference, are they?

There is no examination at present into religious opinions.

550. But in philosophy connected with religion, the result would be precisely the same, whatever the opinions might be that were expressed?

Moral philosophy, as it is at present taught in Oxford, is totally disjoined from religious questions, and therefore does not involve any affirmation or denial of any religious opinion whatever.

551. You think it is possible to separate the two absolutely?

I think so.

552. You think that there is not a practical connection between moral philosophy and religion?

Between moral philosophy and religion I think there is not; I think they may be treated separately, as branches of study or of research.

553. Is Butler's Analogy a book in constant use at Oxford as a work of reference?

It is not so any longer; five or six years ago, when I had just taken my degree, it was the fashion to read Butler's Sermons on Human Nature, but not the Analogy. Butler's Analogy and Sermons are given as alternatives, or were at that time; but I think, as a matter of practice, the Sermons were almost always chosen, mainly because they were shorter.

554. Earl *Stanhope.*] You stated that a disbeliever in revealed religion might subscribe, and does subscribe, to the test which is now imposed at Oxford, that the formularies of the Church of England are agreeable to the Word of God?

I did not intend to say that men did subscribe it in that way. I said it inadvertently, if I said so.

555. You have stated that persons who did not believe in revealed religion might take the test if it merely declared that the formularies of the Church of England were conformable to the Word of God?

Yes, they might; but I did not mean to say that they did.

556. Do you think that a person in that frame of mind could conscientiously subscribe to or sign a statement calling the Scriptures the Word of God?

I think he might fairly hold that the only legal meaning of the words, was the Authorised version of the Bible, as distinguished from any other version, as, for instance, that of Douai, with which the formularies of the Church of England are not in conformity.

557. You

557. You think that a disbeliever in the Scriptures could declare, nevertheless, that they were the Word of God?

I merely meant to say that the test, as it stands, might admit a person who chose to strain the meaning of the words, and who believed in the coincidence of the Bible and Prayer Book, and that both fell together. I did not mean to assert that there were any such persons in Oxford. All I meant to say was that, so far as the wording of the test goes, it might be so taken.

558. Among the German works of theology which are read at Oxford, do you include the writings of what are know as the Tübingen School?

I did not mean to mention any works of theology; the works I mentioned were exclusively works on philosophy.

559. Do you consider that the works of the school, which is known as the Tübingen School, are extensively read in Oxford?

No; no theology of any school is much read at Oxford; the study has been entirely uprooted by the action of tests.

560. Only theology as it runs into philosophical study?

And very little of that.

561. Lord *Houghton.*] Do you attribute this tone of thought which has risen up so prominently in Oxford to the study of Aristotle?

Scarcely at all. It arises mainly from a closer connection between England and the Continent. It is really a wave of thought which has come over from Germany.

562. Would you be inclined to allow what we Cambridge men very often assumed, that the predominance of our mathematical studies, as compared with the study of Aristotle at Oxford, has been to us a considerable protection against the effects of the predominance of metaphysical or philosophical study?

Yes, I should think it had. Judging from what I know of mathematicians, or those who have spent a great deal of time in studying mathematics, I should say that mathematics disinclined the mind from studying metaphysics, or from taking a very deep interest in philosophy. As a matter of fact, the great movements of opinion have arisen in Oxford, not in Cambridge. I should attribute that circumstance in great measure to the cause to which your Lordship has alluded—that the study of mathematics causes less interest to be taken in speculative and critical subjects.

563. When you speak of persons reading those which would be called heterodox books upon questions of moral philosophy, do you intend to say that they read them for the purpose of mastering the whole science, or for the purpose of knowing what they may have to object to or controvert?

The former in most cases; that is to say, with the view of mastering the science. I believe that a man would read what he was able to read in a short time of Hegel or Kant, with a view of knowing what Hegel or Kant said about moral or philosophical questions, but not with the view of controverting what either of them said, as is done, I believe, in Roman Catholic seminaries, where a philosophical opinion is read with a view of controverting it, and showing that it is without foundation.

564. As far as you know, in the result of an examination for a fellowship, would it be taken into account whether the answers of a student had been given in confirmation of, or in objection to, any particular statement or opinion?

I think no weight whatever would be laid upon that distinction in any of the good colleges. A man whose opinions were of an extreme form in one way would have as much chance as a man whose opinions were of an extreme form in the opposite way; it depends to a certain extent upon the nature of the college. In some colleges other considerations come in, in the election of fellows, besides those of the intellectual qualifications shown in answering the Papers; but such considerations are generally confined to those amongst the electors who take little or no part in the examination of the candidates, and who therefore have no other means of judging between them.

565. You do not think that a confutation, successful or unsuccessful, of what are called orthodox propositions, in Paley for instance, or in Butler, would carry with them any disagreeable consequences to the student?

I presume your Lordship is speaking of a person trying for a fellowship; I think

Mr. *C. Appleton.*

24th Feb. 1871.

think that a person who did that would be set down as a person of exceedingly bad taste, and unless he did it with very great ability, I am afraid that the answers in which he did it would count for very little; in fact, they would probably count against him.

566. When you were speaking of the effect of the University tests upon the mind of a man who is disturbed in his religious belief, do you not think that the obligation of them, if a man does sign them, must carry with it some moral degradation?

It may often leave a scar upon the conscience. That is my reason for desiring to remove the temptation to express adhesion to propositions which are no longer believed, or which are not believed at the time, or in the form in which they are subscribed.

567. You think that they are temptations to insincerity of purpose and dishonesty of mind?

I think they are.

568. Earl *Beauchamp.*] Have you taken part yourself in examinations for fellowships?

I have.

569. Lord *Colchester.*] I understand your main objection to the test to be, that you think it is very often dishonestly and insincerely taken?

No; on the contrary there is hardly any case upon which it would be possible to put your finger, and say, This test is taken *malâ fide.* I think the test is taken either upon the theory that there is no meaning in it, or else in the other case mentioned, when the opinions held by the persons subscribing are held vaguely, and the test is looked upon vaguely, and the two vague elements are made to coalesce without much difficulty.

570. I understand you to say, that very little change would be caused by the passing of the Bill, because so few persons are exposed to these revolutionary elements of thought at present?

That is my opinion.

571. In those few persons would be included nearly all those who read for honours, would they not?

Nearly all those who read for honours in the classical school; not those who read for honours in law and modern history; nor in mathematics, nor all who read for honours in physical science.

572. You would not apply yourobservations to the Law and Modern History school?

No; in fact, almost all men in Oxford who are under religious influences do, as a matter of fact, goin for the Law and Modern History school, rather than for the classical school.

573. You think that a person who takes the Law and Modern History school is out of the range of the subjects to which you have referred; he would not study Lecky, Comte, and the other works bearing upon the history of thought?

I do not think, as a matter of fact, that the majority of the men who go in for that school do study those works.

574. Would you say that the reconstruction of opinion which you have referred to would be completed before a man aspired to become the head of a college, or a University professor?

It would be well if it were so; and I think in most cases it would be so.

575. Do you think that a man would be a very desirable man to be the head of a college, or a University professor, who was still in this metaphysical stage which you have described?

I do not see why he should not.

576. Do you not think that by that time he ought to have reconstructed his opinions, if he ever would do so?

I think he ought to have done so.

577. Then your objection does not apply much to retaining the test for the head of a college or a University professorship; your objection to the tests for these offices would be based on totally different grounds?

I think

I think the maintenance of a test for a professorship would have to be objected to upon the ground that a professor, if he was not a professor of theology, ought not to be bound to express any theological belief; whilst if he was a professor of theology the test would act very badly upon his work as a professor, by hindering him from making researches freely if he was already bound to certain conclusions. The reasons for objecting to the test, which I have stated before, apply rather to younger men.

578. Therefore, those who thought it desirable that a head of a college or a University professor should hold certain opinions, might retain the test, without the fear of producing an injurious effect upon the immature mind to which you have alluded?

I think the maintenance of the test upon those two classes of persons would have objections of its own. For instance, the maintenance of the test for the head of a college would, I think, tempt the head to act unfairly towards the fellows of his college in the appointment of tutors. Supposing the college consisted partly of Nonconformists and partly of the members of the Church of England, the head of the college, being either a clergyman or a man who had taken the test, would feel bound to consider, not so much the qualifications for tutorial work, as the opinions of the persons seeking to be appointed as tutors.

579. Then you would exclude a clergyman from that position?

Yes, if there were Nonconformists among the fellows.

580. Do you mean to say that a clergyman would be sure to appoint unfairly?

I would say that a person who had taken the test, whether clergyman or layman, would have that temptation before him.

581. Do you think that a man of moderate opinions, who had taken the test, would be likely to be more unfair in the appointment of tutors than a man who happened to have strong opinions one way or the other, but had not taken the test because no test was required?

I think that a man who had taken a test, and was in a responsible position like that of the head of a college, would feel that he was put there in order to maintain the Church of England character, or the religious character of the tuition given in that college.

582. And you think that he would not use his powers in that way, whatever his own opinions were, if no test was required; that he would not consider that under the statutes he ought to maintain the character of the college as a place of religion and learning?

He might or he might not; I think you would compel him to do so by attaching a test to the headship.

583. Would you not say that in Oxford generally there are very great fluctuations of thought, and that the opinions of the colleges vary very much from year to year amongst different sets of men?

Not so much amongst different sets of men; but they vary much from year to year, or more correctly, from one academical generation to another.

584. Supposing that either any distinction could be taken between the pre-Reformation or the post-Reformation endowments, or that any other distinction could be drawn by which a portion of the University could remain subject to tests while the remaining portion was left free, that might provide very much both for those who objected to tests and for those who wished to be in colleges where tests were required, and it would at the same time make the test more efficient where it was retained than it is at present; what is your opinion upon that?

I think such a provision would have the effect of cutting the University into two halves, and destroying its academical character. I think that the retention of the tests in the portion to which it was applied would be open to the same objections as exist to the tests which are at present applied in the Universities as a whole.

585. You do not think that a man who felt objections to taking the tests would seek out those colleges where tests were not required, and that those who felt no objection to tests would be willing to go to those colleges where a test was required?

Mr. *C. Appleton.*

24th Feb. 1871.

As a matter of fact, the religious influences of Oxford are really quite distinct from the colleges, and any legislation which should deal with the colleges as institutions likely to continue to exist, would be missing its mark.

586. You think that all colleges should, as far as possible, have a uniform character?

I was going to say that I think education is migrating away from the colleges to the University at large. Within the last few years the education of men belonging to a particular college has not, as a rule, been conducted solely by the tutors belonging to that college.

587. What I meant to say was this, that men who did not object to tests would seek out fellowships in those colleges where a test was imposed, while those whose opinions were more unsettled would compete at colleges where no test was required; would not that be so?

The result of that would no doubt be, that all the best and most cultivated candidates for fellowships would go to the open colleges, just as they now compete for the non-clerical fellowships. The competition for clerical fellowships is not, and under the system your Lordship alluded to, the competition for fellowships at test-colleges would not be nearly so good as for the others.

588. Then the two systems could work together, and the country would be able to judge of their relative advantages?

That certainly might be the case, but I am sure that the academical character of the University would be destroyed thereby, and I think that *socially it* would have a very bad effect. Opinion runs very high now when there *is* a uniform system, and when there were two systems side by side it would destroy all co-operation between the colleges.

589. Why do you think it would run higher in that case?

Because there is now no recognised distinction between men in respect of religious belief; all are officially members of the Church of England, and all are equally bound by the same laws, but if you made one law *for one set of* men, and another law for another set of men, there might be *perpetual collisions* on a large scale between the two parts of the University, as there are now on a smaller scale between the clerical and lay fellows of the same college.

590. The objection you raise would in any case apply under the altered system; they would no longer be all recognised as members of the Church of England, which I understood you to say was a necessary thing for the concord of the University?

I think it is impossible to preserve social concord and co-operation between the members of the University while they hold different opinions, except under one of two systems; either, in the first place, that all should be free, or, in the second place, the present system, when all are bound.

591. Then you think that there would be a state of permanent war in the University?

I am not sure of that.

592. You have a great fear that it is impossible for people to maintain the peace except by a rigid uniformity of system?

I think your Lordship's proposal would divide the University, whereas we want unity. To speak of peace or war is to use too strong terms, but as a matter of fact opinion divides us much as it is, and this division would become still greater if the law were to separate the conflicting agencies into two opposite camps.

593. At the same time you do not find any great difference of opinion between men who have passed through one school which you say developes these opinions, and men who have passed through the other schools which you say do not develope them?

Because the men who have passed through the other schools do not hold opposite opinions which contradict those, but they do not hold any opinions of their own at all; they have not come in contact with the movement of ideas in any shape.

594. Do you think that the mind of a man who has passed through the law and modern history school remains a blank on these subjects?

I do

I do not say that it is a blank, but I say that such a man does not, as a rule, entertain different opinions when he leaves Oxford from those which he has inherited. His opinions continue unchanged, because he has never been taught to examine the grounds of them.

595. Supposing he became a fellow of a college, you think he would not be in a state of antagonism with the other fellows?

No; not necessarily.

596. Do you attach any importance to the argument with regard to the national character of the Universities, entitling all members of the nation to share in them?

Very little. I think if the Universities are to be reconstructed, or any alterations made in their organisation, that should be done purely with a view to making them the best places for the promotion of learning and education.

597. Do you attach any importance, one way or the other, to the opinions of the parents of those who go to the Universities whether they are partly for or partly against the tests?

That is a very important consideration; but I think parents at present expect and believe that their sons obtain in the Universities, by means of the maintenance of tests and of the Church of England system in the University, that which in reality they do not obtain.

598. Do you not think it desirable that some colleges should meet the views of one large class of the community, and that other colleges should meet the views of other classes?

I do not think the seminary system would be desirable. As I said before, the colleges are becoming much less important than they were in comparison with the University. They are gradually becoming mere boarding houses for the students.

599. Then there would be no harm, in your opinion, in giving complete ascendancy to the principle advocated by one portion of the people which is in favour of undenominational education?

I am looking rather at the question of danger. I do not think there is any danger in doing so.

600. Do you think there would be any objection to doing it from the point of view of the parents?

I do not think there would be any danger with regard to the parents or the nation at large, because I am sure that parents are deceived at present when they expect to get religious influences for their sons in consequence of the Church of England character of the Universities. What the parent believes he gets for his son at the University through the organisation of the colleges and the so-called religious character of the University, is really obtained at Oxford when it is wanted, but it is obtained by indirect means. A great deal of religious influence is exercised at the University of an indirect sort by persons like Mr. Liddon, who have a special aptitude for exercising it, and do so quite independently of any organisation. There are persons also of a different school, including a large number of good men among the parochial clergy, who are exceedingly anxious to look after the young men, when they come up to Oxford, and to give them religious advice.

601. You mean that you think that the organisation of a denominational college would have very little effect upon the men who went to it?

I think it is not wanted, that it would not gain its object in the long run, and that it would be detrimental to the University.

602. Do you think that a uniform University would be a fit place of education for the sons of a divided nation?

Yes, I think so.

603. Lord *Hartismere.*] You have been speaking of a certain class of learning, namely, metaphysics and philosophy, being taken into consideration in certain examinations; is that consideration confined to certain centres of thought in Oxford, or is it general throughout the University. I mean, does it affect the University examinations as well as the examinations for fellowships?

Certainly, it affects University examinations.

Mr. *C. Appleton.*

24th Feb. 1871.

604. Earl of *Morley.*] With regard to the obligation of these tests, do you know of any persons having refused to go in for their degrees in consequence of these tests?

Yes.

605. That proves that there is felt to be some obligation in them?

Yes.

606. Do you also know of persons having left their fellowships in consequence of feeling that they were unable to continue in them while the tests were in force?

I know of some at Cambridge, but I do not know of any at Oxford; on further consideration, I remember there have been one or two instances at Oxford.

607. And you think that that is not a desirable state of things to exist; the tests do not act in the way you would wish?

I think the number of persons prevented from going to their degree by tests is a very small one; two or three, not more, in the whole University.

608. With respect to the studies at Oxford, in what you have said, you refer chiefly to the honors examinations of the Final School in classics?

Yes.

609. Undergraduates are prepared for those examinations by private tutors, are they not?

They used to be 10 years ago, but now the whole system of college tuition has undergone a change. The college tutor in one college is amalgamated with the college tutor in another college, and the result is that inefficient tutors are really eliminated by having empty rooms whilst, the best men, and those who are most competent to teach get immense classes, are enabled to keep up with the literature of their subject, and become for all practical purposes professors. The system of private teaching is, in my opinion, likely to give way to this organisation.

610. Still every one who goes in for a high class in the classical schools would have a private tutor, would he not?

Not every one now. In one or two colleges, at Balliol for instance, and perhaps at Corpus, a man of ordinary intelligence may obtain a first class without any private tuition; and under the system I have described this is beginning to be the case with almost all the colleges.

611. The reason I asked the question is that the teaching of private tutors is fettered by no tests at all, is it?

It is not.

612. They may never have gone to a degree at all, even that of bachelor?

I am not sure how far the power exists with the Vice-Chancellor to prevent a man from teaching, if he has notably abused his power over the minds of his pupils.

613. Then, with regard to these studies, the manner in which those books which you have mentioned are brought in is this: there are four Papers, one on moral philosophy, a second on political philosophy, a third on the history of philosophy, and a fourth on logic, in which there is a series of questions on which short essays are supposed to be written?

Yes, in the degree examination.

614. The knowledge gained from these miscellaneous books which you mentioned is brought into the answers to these Papers, and thus shown to the examiners?

That is so.

615. With regard to the number who read these abstruse books, it is merely the undergraduates who are likely to get a first class, and those are the very best men, and form a very small proportion of the whole, do they not?

Those who read them are few; those who get the ideas from them indirectly by means of others are many.

616. *Chairman.*] You mean that they get crammed in them?

They are not necessarily crammed; but they are recommended to read portions of them, and they hear excellent lectures upon them. Some of the best students of course are acquainted with German, and they read the works for themselves in German. Others have to content themselves with reading them in English or French, as far as they are translated. It is quite impossible to cram modern ideas and methods.

617. Earl of *Morley.*] Take, for example, books like Zeller's History of Philosophy?

That is seldom read by undergraduates; it is far too heavy; it is read by tutors, and lectures are given out of it not unfrequently.

618. Surely it is read by undergraduates sometimes?

Now that two portions of it are translated, those portions are considerably read by undergraduates; but that has only happened within the last two years.

619. Bishop of *Gloucester and Bristol.*] I will only trouble you with a very commonplace and practical question; it has been suggested by some that it might be desirable to introduce what I will call, for the sake of making myself perfectly plain, a kind of conscience clause, so that those undergraduates whose parents and guardians objected to the teaching which might find a place in lecture rooms should have the power of withdrawing from it; do you think that there would be any objection to some arrangement of that kind?

I think it would be a very good arrangement if the tuition in the Universities had remained as it used to be. At present, an undergraduate may withdraw himself, according to the new system which is gradually coming into operation (although it is not fully in operation yet), from the class-room of any tutor or professor to whom he has been accustomed to go if he does not like a lecture, or if he thinks that the lecture will not do him any good, provided he goes to somebody else. Therefore you do not require to introduce a legislative enactment for that purpose, because the power already exists and is exercised by undergraduates.

620. But does not the power of compulsion exist in many colleges?

It does exist, for instance, in my own college, St. John's, but it is gradually giving way before this system, which has come into operation during the last five years. Perhaps it would be better if I were to explain to your Lordships what that system is. Of old there were a certain number of tutors in each college (I speak only of Oxford). They chose their pupils, not their pupils them, and they compelled attendance at their lectures, whether their lectures were beneficial or not. On the opposite side of the street, perhaps, there was another college which did the same. The tutor at one college, on a particular subject, might be competent, while the tutor at the neighbouring college on the same subject might be incompetent, and the incompetent tutor had as much power to compel attendance as the competent one: but now the colleges are amalgamated together, and a tutor who teaches Livy at one college, and teaches it badly, is amalgamated with a tutor who teaches Livy in, perhaps, two other colleges, and who teaches it well. The undergraduates must go to one or the other of those various tutors who teach Livy, and they naturally leave the lecture room of the man who teaches it badly, and go to the rooms of those who teach it well. This system was first begun by an amalgamation of Balliol College and New College. Then another group of five or six colleges grew up, and then another of six or seven, and, now, almost all the colleges at the University, with the exception of four or five, are amalgamated in this way. The result is, that any undergraduate may withdraw himself from the lectures of any given tutor, and go to another lecturer on the same subject at another college; I ought to add that this amalgamation only applies to lectures for the examinations in honours.

621. *Chairman.*] How widely does that system prevail?

It prevails to this extent; there are 19 colleges in Oxford, and I should say there are not more than four in which it does not prevail.

622. Bishop of *Gloucester and Bristol.*] You know that this Bill does not extend only to Oxford, but to Cambridge and Durham also. Cambridge may very easily have changed since the long time ago when I was there; but I believe I am correct in saying that no such system as that which you have just described exists at Cambridge?

I do not know.

623. And by the nature of the case, it cannot at Durham?

I have no means of telling.

Mr. *C. Appleton.*

24th Feb. 1871.

624. Do you not think that it would be fair (I will use that homely word) that there should be introduced into a measure that may come before Parliament, or that, in fact, is before Parliament, a provision that a man should have the right of withdrawing from a lecture upon a religious subject if he felt his conscience seriously aggrieved by attendance, and if his parents or guardians required it in writing?

I cannot speak of Cambridge or Durham, because I do not know them; but if I may judge of the tutors of those Universities by the tutors and fellows of Oxford, I should say that there is not one man amongst them now who would refuse the application of an undergraduate who said that his conscience was offended by any lecture. Therefore you do not at all require a legislative enactment for that purpose.

625. Similar facilities to those were formerly offered in the case of elementary education, and it has always been urged, *per contra*, that that which was so very generally conceded had better be secured by a Parliamentary enactment. Does not what is true of primary education seem to be fair, and to apply forcibly to this higher education also?

I think not, and for this reason; that in legislating with respect to primary education, you are legislating in the main for the education of the children of peasants and artizans, and that what the parent of a peasant boy may not like to do, and what the boy himself cannot do, an undergraduate at Oxford can do on his own account, and certainly his father or guardian can do for him.

626. We will transfer our thoughts to Cambridge; would it not be hard that a young man, not having the advantages of the system you have mentioned as now growing up at Oxford, should be required to attend at lectures upon a religious subject in which there was teaching seriously at variance with the doctrines of the Church of England, to which, we will assume, that young man to be seriously attached?

If there is really any danger of such a thing at Cambridge, I should not object to a conscience clause; but that would proceed upon the supposition that the Cambridge system remains as it is, and I am not at all certain that that which has come to some completeness in Oxford (I refer to this reorganisation of the tutorial system, and the amalgamation of the colleges) has not at least begun at Cambridge; I have not the data before me which would enable me to judge about that.

627. Duke of *Somerset.*] I think you say that you would do away with all the tests in the Universities?

I should be in favour of such a proceeding.

628. Even in the case of the Divinity Professors, you would do away with their tests also, would you?

I am not quite sure whether I should go quite so far as that; I am rather in favour of a system which prevails in one or two foreign Universities, and which has been found to work exceedingly well there; they have separate faculties belonging to separate branches of Christianity. For instance, at the University of Bonn, there is a Roman Catholic faculty of theology to which men of the very greatest ability and of European reputation belong, and there is also a Protestant faculty of theology. The same is the case at Tübingen; that University, which has a notoriety for a certain class of thought, is at this present moment more celebrated for its Roman Catholic than for its Protestant Divines; I think a system like that might be tried very well at Oxford. Supposing all persons in the country were admitted, not only to education, but to fellowships at Oxford, it would be very desirable, as the circumstances would show when the change was made, that there should be a Roman Catholic faculty of theology, an Anglican faculty of theology, and a Dissenting or Protestant faculty of theology.

629. Then every religion might have its professor; you would have a Jewish professor, for instance?

I am not sure about that. I do not see any objection to it, so far as principle is concerned, if a large number of Jews went to Oxford.

630. If they wished it?

Yes; as a matter of fact there is a good deal of work in Oxford at this moment

moment in the department of Oriental literature, done by a well known Jewish *savant*, who is employed there. He is on the best of terms with the Professors of Divinity and Hebrew, who along with many clergymen are very glad to apply to him for help in their Biblical studies. I do not see any harm that would arise from setting up a Jewish faculty of theology, provided a considerable number of Jews went to Oxford. In fact, it would be an exceedingly useful institution.

631. Then how would you secure the orthodoxy of the teachers of each of those religions? Supposing you had a Roman Catholic faculty, a Church of England faculty, and a Nonconformity faculty, would you have some test to satisfy the body with whom the teacher was connected, that he was going to teach the orthodox doctrine of that body?

I have really not considered that question; it would not be at all objectionable, as far as I see, to have a test within each faculty; but I think if the process of co-optation were employed, whereby the professors in the faculty filled up a vacant Chair, there could be no difficulty with regard to a test; they would put in a man who would be sure to teach the orthodox faith of the body.

632. *Chairman.*] As to the conscience clause, is it possible that any kind of protection could be given to those who go up for honours, against being examined in books which they would object to reading, or which their parents or guardians would object to their reading?

I do not think that is possible; but it is rather a political matter upon which I ought not to speak. Unless the books to be read in English Universities were prescribed by law, and it were forbidden to read others, it would, I think, be impossible to carry out what your Lordship suggests.

633. Would it not be possible for an undergraduate to protest in any way, and to say that he must not be judged by anything out of Spinoza, because his principles would not allow him to read that author?

I should be much more in favour of a greater variety of choice being given to candidates for honours in the different schools. In fact, I should be glad if candidates for matriculation were allowed to matriculate in any branch of knowledge which is well known, instead of, as now, in Classics only; I think if you admit a large number of the community to the Universities who have not the means of going to public schools, that arrangement must ultimately be made; and I would apply the same rule to the school of Philosophy and History; that is, to that which is called the Classical school. I would not object to a Roman Catholic who preferred to read St. Thomas Aquinas, or any of the scholastic philosophers, being examined in books of that kind, bearing upon the subject; and to allowing him to neglect entirely the books which I have mentioned, which are now read in Oxford. I think, if you admit Roman Catholics, you must give some such permission.

634. You would therefore admit the injustice of any particular examiner pressing his own beliefs, or his favourite modes of thought, in the questions he set in the Papers which were to form the standard by which he would judge of the candidates?

I think that would be a bad thing if it existed; but it does not exist; it is impossible, probably, for a person who sets questions to prevent some tincture of his own opinions being seen in the questions he sets; but I know very great care is taken in setting the questions, that it should not appear.

635. Is there any kind of appeal from, or superior authority over, the examiners?

The Vice Chancellor, I believe.

636. What power has the Vice Chancellor?

I do not know in detail. I know that, in some cases where an examiner is supposed to have treated a candidate in an examination unfairly, complaint has been made to the Vice Chancellor, and either the Vice Chancellor or the proctors have gone down into the examination room and sat there whilst the examination was going on, in order to put an end to anything like improper treatment of a candidate in the examination.

637. Duke of *Somerset.*] Under your system, what would you do with the college chapels?

Mr. C. Appleton.

24th Feb. 1871.

I think that is a question which would really solve itself. You would have to treat every case separately and differently.

638. It would come to making denominational colleges, would it not?
I am not sure that it would. Some colleges would continue to use the chapels as they use them now, for the Service of the Church of England. I ought to say that I do not attribute any religious value to the college chapels. I think any person who has lately been at Oxford, or who has long been conversant with the University, would attribute rather an irreligious influence to the routine enforcement of attendance on Divine Service in chapels.

639. You would not object to shutting up the chapels?
I am not prepared to say that I wish for them to be shut up. The more religious undergraduates, when they are compelled to go to chapel (which they are not compelled to do at all the colleges), go to church as well, because they are not satisfied with the worship in the college chapels. I know that some religious undergraduates have refused to receive the Lord's Supper in the college chapels, although, in the case of some colleges, of which my own is one, an undergraduate if he refused to take the Sacrament, had to call upon the President of the college, and give a reason for having abstained.

640. Earl of *Harrowby.*] You are aware that the public feeling upon this point does not seem to be quite that which you are advocating. In almost all the new schools which are being founded, chapels are being attached to them from time to time, indicating that the current of opinion with regard to education is rather in favour of attendance at the college or the school chapel being a part of the training of the pupils?
I think there is a great deal of difference between the treatment which is appropriate to a boy of 10 or 14, and the treatment which is appropriate to a young man of 18½ or 22.

641. That applies to the compulsory attendance in chapel, but not to the facultative attendance; not to the opportunity of attending?
I think that the opportunity is sufficiently given in the parish churches. There are many parish churches in Oxford where there is Divine Service morning and evening.

642. Do you attribute any value to Dr. Arnold's idea, that those who teach should also be those who preach?
I think it is exceedingly desirable for boys, but very undesirable for men.

643. You think it undesirable for men, that their tutors should be in the relation of religious advisers to them, as well as teachers of particular branches of knowledge?
Yes, I think it both impossible and undesirable.

644. Earl *Stanhope.*] As a matter of fact, can you tell us at what number of the colleges at Oxford the attendance at chapel is still compulsory and is an act of college discipline, and at how many it is left to the free choice of the young men?
I cannot say accurately; but, speaking roughly, it is compulsory at two-thirds or three-fourths of the colleges; in a small number, five or six colleges, not more, a roll-call, the object of which is really to make men get up in the morning, has been substituted for it.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Tuesday next, at Twelve o'clock.

Die Martis, 28° *Februarii* 1871.

LORDS PRESENT:

The Duke of SOMERSET.	Earl of KIMBERLEY.
The Marquess of SALISBURY.	Bishop of GLOUCESTER and BRISTOL.
Earl COWPER.	Lord COLCHESTER.
Earl STANHOPE.	Lord ROSEBERY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl of HARROWBY.	Lord HOUGHTON.
Earl of MORLEY.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

The REVEREND HENRY PARRY LIDDON, D.D., Canon of St. Paul's Cathedral, and Ireland Professor of Exegesis at Oxford, is called in; and Examined, as follows:

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

645. *Chairman.*] YOU have paid a good deal of attention to the subject of Tests which is now before this Committee?
I have paid some attention to it.

646. What is your opinion with respect to the action of tests in the University of Oxford; do you hold them to be abstractedly desirable?
I think that some tests are certainly necessary, though under our actual circumstances a modification of the existing tests is undoubtedly desirable.

647. On what grounds?
Chiefly on account of what I suppose to be now the political necessity of admitting Nonconformists and other classes of Her Majesty's subjects to full educational advantages as distinct from the duties of teachers in, our Universities.

648. Apart from the external action of Parliament, you do not think that there was arising out of the circumstances of the University itself any internal necessity for a change?
I am not prepared to admit that unreservedly; but I should have been glad, if I may enter into particulars, to have seen a substitution of the Nicene Creed for the Thirty-nine Articles, as the test imposed on all members of Convocation.

649. That would of course have admitted a very much larger circle of Christians than are admitted at present?
Yes, very much larger.

650. It would have admitted the Roman Catholics, and would have admitted all those who are ordinarily called the Orthodox Dissenters?
Yes.

651. It would have excluded the Unitarians and those who are of no belief at all?
Certainly.

652. It has been stated before us that the tests now have no efficacy in excluding those who are of no belief at all, because they are such as unbelievers can perfectly well take; is that a statement familiar to your mind?
Yes; but it is very much too sweeping to be accurate. There are a certain number of men (I should say, as far as my experience goes, a very restricted number) who practically subscribe to what is called the doctrine of "signing anything"; but I think they are less numerous than is often supposed to be the case.

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

653. They do so on the ground that it is exacted from them by force, presume?

Doubtless, on that ground.

654. *Have you heard of any views such as would be expressed by the words I am about to read; "I have heard the views distinctly expressed by persons who have signed the test that these formulæ are formulæ which have become entirely obsolete in their character and language, and therefore having no relation whatever to modern life, they may be both affirmed and denied equally bonâ fide"?*

I am familiar with the formula, but it would be acceptable, I think, to quite a restricted class of minds, at least in Oxford.

655. "The view is that they do not admit of definite affirmation or definite denial, and that they are outside the mind as it stands at present"; is that at all familiar to your experience at Oxford?

Yes, that would be, as I suppose, the view that would be taken of them by that section of highly educated men, who are more or less influenced by the Hegelian Philosophy. I do not at all mean to deny, of course, that there are sections of our residents who are opposed to tests on other grounds.

656. Have you ever heard the argument used, "The test which is at present exacted for a master's degree at Oxford is to the effect that the master believes that the doctrine of the Church of England is in unison with the Word of God. That excludes a man who believes in the Word of God, but does not believe that the doctrine of the Church of England is in conformity with it, but it includes not only the man who believes that they agree, and that they both stand, but it includes also the man who believes that they agree, and that they both fall." I am anxious to find out whether these, which have been laid before us as opinions prevailing more or less in the University, have come under your cognizance?

Yes, I have also heard of that theory of tests. I imagine it is true to say of it, as of the other, that it applies not so generally as may have been represented to your Lordships, but only to narrow sections of resident thinkers and teachers, which, taken by themselves separately, are insignificant, although collectively, no doubt, these various objections require and demand serious consideration. It would be a serious misrepresentation of Oxford, so far as my experience of it goes, to say that this particular objection to tests was entertained by a considerable proportion of the residents.

657. I suppose the section, though scanty in numbers, is influential out of proportion to its numbers; I mean, when I say "influential," not in Oxford, but outside Oxford?

Yes, probably.

658. You have told us what test you would prefer to substitute for the existing tests?

Yes, if it were possible, the Nicene Creed.

659. What do you think is possible?

In proposing the Nicene Creed for all members of Convocation, I am proposing a test which I suppose, at this stage of things, to be, politically speaking, out of the question. If all degrees are to be free, as I take it for granted they now must be, and, as I also assume, all professorships, and further, lay fellowships, I should propose to restrict the operation of tests to the Divinity professorships. I should like, if it were possible, to impose them on professors of Moral and Metaphysical Science as well as of History, because everybody knows how closely those subjects are connected with the most fundamental problems in theology. I would further exact a test from all laymen who might teach in colleges—that is to say, who might be tutors in colleges.

660. And that test would be, I suppose, the Nicene Creed in your view?

I was thinking of members of the Convocation when I mentioned the Nicene Creed; a more definite test might be necessary, if no test were exacted from Masters of Arts in positions of great educational responsibility. A much more definite and exact test would certainly be necessary for the Divinity professorships; there would be no reason for changing our existing test in this case.

Rev. Professor *H.P. Liddon*, D.D.

28th Feb. 1871.

661. What tests should you propose for the tutors at colleges?
In answering your Lordship's question, I am embarrassed between what I desire and what I suppose to be possible.

662. I think you had better say what you desire?
I certainly should desire, besides a subscription to the Nicene Creed, a declaration of conformity to the Liturgy of the Church of England, at least in the case of lay tutors in colleges; or in the case of lecturers in colleges, some such declaration as that which was proposed, I believe, by Sir Roundell Palmer, and which would be of very great practical value indeed.

663. Earl *Stanhope*.] Will you define what you consider to be Sir Roundell Palmer's recommendation to be?
It is given, I believe, in terms at page 120 of a Report issued by your Lordships, and since published. "Every person hereafter to be elected or appointed to any professorship in the said Universities, or either of them, or to the office of tutor or lecturer in any college within the same, shall, before he be deemed capable of entering upon or discharging the duties of such office, or entitled to receive the emoluments thereof, make and subscribe before the Vice Chancellor of the University, or before the head or other chief governor of his college (as the case may be), the declaration following:—'I, A.B., do solemnly and sincerely declare that as (here describe his office), and in the discharge of the said office I will never endeavour, directly or indirectly, to teach or inculcate any opinion opposed to the Divine authority of the Holy Scriptures, or to the doctrine or discipline of the Church of England, as by law established." I believe that such a test as that would be of very great practical value.

664. *Chairman*.] That test, I suppose, would suffice in your view for the lay teachers as well as for the lecturers?
Probably it would.

665. Supposing, for argument's sake, that it was not possible to apply that test to all fellowships and all endowments, do you think that there is any class of endowments which, from the date of their foundation, have a special claim to be protected in this way?
Especially those with which the colleges have been endowed since the date of the Reformation. They are much more considerable, relatively to the whole endowments of Oxford, I believe, than has yet been recognised by Parliament.

666. They were given, I suppose, under the sanction of the law as it stood, and in the full belief that they would be used for the Church of England?
Certainly.

667. Are they equally distributed amongst the colleges, or do you think that they attach to particular colleges?
They attach to particular colleges in very different proportions. To the strongest class of cases belongs Wadham College, which was founded since the Reformation, in 1613, and in the full belief that it was a Church of England foundation in the modern sense of the term. But I believe I am right in saying, that the whole of the endowment of Worcester College is post-Reformational. It was founded in 1714, by Sir Thomas Cookes, at the expense of 15,000*l.*, for a provost, six fellows, and six scholars. Among other benefactors are mentioned, in 1736, Dr. Clarke, 4,000*l.*, Dr. Clarke, 345*l.* a year; in 1739, Mrs. Eaton, 700*l.* a year; Lady Holford, 40*l.* a year; in 1717, Mrs. Alcora, 7,000*l.* But, besides these extreme cases, there is another class of cases which must be taken into consideration, such as, for instance, Balliol College. In Balliol College, out of 12 fellowships (or 11, as the number is now), three have been founded since the Reformation, in the years 1616, 1628, and 1676. Of its scholarships or exhibitions, there have been founded two, in 1616 and 1676, two in 1628, and four in 1668. The Snell exhibitions were founded in 1677. There are 10 of these, and they are worth about 110*l.* a year. In 1696 and 1762, 12 more exhibitions were founded, varying from 15*l.* a year to above 50*l.* a year. Then, coming to quite recent times, in 1840, Dr. Prosser, late fellow of Balliol, left by will 3,000*l.* for exhibitions. In 1854, Dr. Jenkins, Master of Balliol, left 7,000*l.*; in 1866, Miss Brackenbury gave 3,000*l.* for exhibitions; in 1868 and 1870, she gave 9,000*l.* for the rebuilding of the

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

college. I should mention also, that I have been told that more than one-half of the advowsons of Balliol College have been presented to it since the Reformation, and there is evidence of sums from time to time given, during the 16th, 17th, and 18th centuries, for the repair of its buildings, amounting to at least 7,000*l.* That is an instance of what I mean.

668. But, of course, a similar state of things extends to other colleges of the University?

Certainly; I could give the details if necessary.

669. Are there any other particular instances of a similar kind which you think it important to lay before the Committee?

I do not think there are stronger cases than that, but it is an example of a state of things so general as to be the rule; I think it very important indeed to place before Parliament this fact, that of the actual buildings and endowments at the disposal of the colleges of Oxford, a very much larger proportion indeed than I imagine to be generally supposed to be the case, has been given to them since the Reformation, and on the distinct ground that they were colleges of the Reformed Church of England.

670. It has been often stated that tests have failed to promote unity of faith and teaching in the University, is that your opinion?

They have done so to a certain extent, but the failure has not been so great as has been represented. They have certainly corrected and restrained wild speculative license, if I may be permitted the expression, on this side and on that, to a very much larger extent than is commonly admitted. But their great value has been that they have operated in the way in which perhaps Sir Roundell Palmer's declaration would be still more useful; they have operated negatively. They have prevented teachers in the University from stating crudely and passionately to the great injury of their pupils, destructive and irreligious ideas, which for the moment they were entertaining, and which, without any restraint of the sort, they would undoubtedly have felt themselves at liberty to set before their pupils. There is this advantage about tests. A man does not merely feel the pressure of the test in proportion to his conscientiousness, but he knows perfectly well that every single pupil to whom he is lecturing knows also that he has taken this test, and that he can only contradict its import in his public teaching at the expense of his honour.

671. It is as being obligatory upon his honour that the test is really efficacious?

I think so; at least in many cases.

672. The ordinary argument therefore that it only applies to conscientious people really indicates the true strength of the test?

I am not quite sure that I can assent to that. I should not describe a person as strictly conscientious, who, not feeling the obligation imposed by the test himself, yet felt, as many men have felt, that he would be thought dishonourable by other men if he contravened it.

673. If I substituted the word "honourable" for the word "conscientious," you would then assent to that view?

Yes.

674. The only persons whom the test would admit, and would suffer to teach, would be people who would not have the moral authority to make their teaching effective upon their pupils?

I have no doubt of it. I have no doubt that so long as the test system lasts, the moral authority of those who notoriously contravene tests which they have signed, will not stand high with the best part of the undergraduates.

675. Then you do not believe that it is true that the value of the test has disappeared?

Certainly not.

676. Do you think that in any respects they have failed to answer the expectations that were formed of them?

Yes. Of course in a centre of active intellectual life, such as the University is,

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

is, and ought to be, they have been at times subjected to very serious strains; that could scarcely be otherwise. But in order to estimate their value, we ought to look not simply to the few and notorious instances in which they are clearly inoperative, but also to the large number of cases in which they do exert a very powerful influence, and in which, but for their presence, there would be no guarantee against a very large class of serious dangers to the religion of the undergraduates.

677. Do you think that the abolition of them would have a specially injurious effect upon the smaller colleges of the University?

Yes; without some other guarantees it would. I think that this Bill, if passed as it stands, will undoubtedly affect the smaller colleges much more disastrously than it will the larger foundations.

678. For what reason?

In order to see how it will work you have merely to put the common life of the smaller colleges before you. In a small college as a rule there are, upon an average, three or four residents at most. These men consult together about their lectures, they live together in the common room, they take part in the services of the chapel. Supposing this Bill to become law, it is quite within the limits of probability, I should say of more than probability, that in some of these small colleges you will have, say, one Baptist, one Roman Catholic, one Comtist, and one member of the Church of England, in residence together. Now I cannot understand how anybody who has resided in one of our Universities, and who has been actually engaged in the work of education, can conceive how, under such circumstances as those, the common life of the college can go on unless there be a distinct agreement on all sides to ignore altogether the one subject which is of the highest importance. Parliament may, of course, limit that effect of the Bill if it lifts certain departments of college life altogether out of the range of college legislation—such, for instance, as the chapel services—and the maintenance of Divinity lectures; but unless it does this by express provisions, the absolute proscription of religion will be necessary in order to carry on education in the smaller colleges. I say the "smaller colleges," because I do not at all suppose that this will hold good to the same extent in large foundations, such as my own college, Christ Church, or Trinity College, Cambridge. There the probability would be that for a very long term of years you would have a clear majority of members of the Church of England on the governing bodies. If I might add one remark, it would be, that it is probable that both Dissenters and persons whom I should wish to call without offence non-Christians, will reside in the Oxford, which would be created by this Bill in larger numbers than would be anticipated from their relative numerical proportions to members of the Church in the country at large. On the one hand, the University will be a new field of intellectual interest and of work open to them, and they will be naturally disposed to explore and make the most of it; and, on the other hand, when they once are there, there will not be the same reason for exchanging educational for other duties, which there will always be in the case of a very large number of Church of England tutors. So long as the livings remain in the patronage of the colleges, those clerical members of the Church of England who take part in education at Oxford will be continually moving away; while they will leave behind them as permanent residents, with the enormous moral and intellectual advantages which attaches to long residence, persons who have no such motives for quitting the University.

679. Then the possession of the advowsons by the colleges will be an injury to the cause of Christian teaching under the new Bill?

I think so, distinctly.

680. To what extent do the Divinity lectures form part of college life and college teaching?

I can answer that question best by saying what is the case in my own college. At Christ Church there are at present four sets of Divinity lectures: one upon the "Evidences," by Mr. Fremantle; one upon the Acts of the Apostles, by the Junior Censor; one upon St. Matthew's Gospel, by Mr. Moberly; and one upon St. Luke's Gospel, by Mr. Salway. They are all delivered on Mondays and Fridays, at 10 o'clock in the morning; and every member of Christ Church who is not a Dissenter or a Roman Catholic is obliged to attend one set.

Rev. Professor *P. Liddon*, D.D.

28th Feb. 1871.

681. In what way would you provide for lifting them out of the authority of the colleges?

By asking that Parliament should add to this Bill a distinct clause, enacting that due provision should be made for the continuance of religious teaching in accordance with the doctrines of the Church of England in every college and hall of the University.

682. And on whom should Parliament lay the duty of seeing that that provision was carried into effect?

I should think, undoubtedly, on the members of each foundation, on the governing body of each foundation.

683. That would be easily open to evasion if they were so minded, would it not?

It might be evaded in some few cases; but supposing Parliament, in its wisdom, should add such a proviso to the Bill, the practical effect would be, that it would, upon the whole, and, in a great majority of cases, secure the continuance of religious teaching.

684. You might give power to the visitor to see that such a provision was in force?

Certainly; persons who are not resident in the University can scarcely suppose how very largely Parliamentary legislation, even where it does not intend to govern, does govern by its spirit as distinct from its letter, our local legislation, both University and Collegiate. It is upon that ground (if I may make a digression for a moment) that I confess I am able to attach very little value indeed to the statement in the Bill now before Parliament, that nothing in the Bill is intended to interfere with any statute of the University which at present (as for instance in the statutes about preaching in the University pulpit) guarantees religious orthodoxy or religious discipline. The argument that will certainly be used in the council of the University, in the Congregation and elsewhere, will be that it is our duty as soon as this Bill has passed, to bring our statutes at Oxford into harmony as far as we possibly can with the "spirit" of the Bill. It will be assumed that the spirit of the Bill is to destroy everything of a "sectarian" character, so termed, and that therefore, although we are not bound by the Bill to get rid of remaining protective legislation, we ought to do so. That consideration ought, if I may express an opinion, to be taken very greatly indeed into account, because it shows that Parliamentary legislation has a much further effect and scope in the Universities than its exact letter would seem to imply.

685. You are anxious that it should be made clear upon the surface of the Bill, that there is in this statute no hostility to religious teaching?

I am anxious that the Bill should deal with religious teaching, not simply negatively, but positively; that it should not simply say, we do not wish to interfere with any existing provisions for religious teaching, but we enact that there shall be in the future such and such provisions for the maintenance of religious teaching.

686. I presume that you see no objection to excusing those who are of a different faith, from attending upon such teaching?

Certainly not; that question has been already decided by the practice of the University. We have already had at Christ Church, I think I am right in saying, 15 Roman Catholics and several Nonconformists, and they have been entirely excused all attendance at Divinity lectures, and at chapel.

687. Do you find that that gives any premium for nonconformity?

I do not think it does, practically. We have had 15 Roman Catholics since 1861; we have had one member of the Greek Church, a son of Count Pontiatine; we have had one Parsee.

688. You have a Mahomedan now, have you not?

We have one Mahomedan now, and we have had four Protestant Nonconformists, two of whom have been, I believe, Unitarians. One does not declare himself, and one who professes no belief. If these figures err at all, they understate the number who have been admitted, but I think that the inaccuracy is not considerable.

Rev. Professor *H. P. Liddon*, D.D.
28th Feb. 1871.

689. Do you make the attendance at chapel voluntary at Christ Church?
No; but the chapel discipline is very much laxer than it was, even 10 years ago; and as compared with what it was when I was an undergraduate, more than 20 years ago, it is very lax indeed; but still with us it is not voluntary. It is entirely voluntary in two colleges in the University, and it is presented in two others as the alternative to a roll-call.

690. How has that experiment answered?
Differently in different colleges. In Balliol College it has been voluntary as an alternative to a roll-call during the last year and a half; that is to say, the present system began before the late Master left. Attendance is, however, required at the morning and afternoon services on Sunday. Out of a number of undergraduates which, speaking roughly, ranges between 110 and 120, the average week-day attendance now in the morning is 10, and the average week-day attendance now in the evening is three. The average number of communicants every week is 10, and of monthly communicants 15. The other college which with Balliol makes attendance at chapel the alternative to a roll-call is New College. Every undergraduate is obliged to do one of two things; he must be up, in any case, at eight o'clock, and he must either attend chapel or enter his name at the gate. That system has been adopted at Balliol and at New College. At New College, in the October term of 1870, the average attendance daily at morning service was 26 undergraduates out of 52. The average attendance at daily roll-call was 12 out of 52. The difference, of course, would be made up by undergraduates who were in bed. The attendance at Holy Communion every alternate Sunday at eight o'clock was from 15 to 20. One of the authorities at New College has furnished me an exact account of the attendance on every single day in the term, which I can show to your Lordships if you would like to see it.

691. Perhaps you would kindly put it in?
Certainly.—(*The same is delivered in.* Vide *Appendix.*)

692. Earl of *Harrowby.*] Is New College still usually fed by Winchester School?
Yes. Its fellowships are open now, I believe; but there is a large Winchester connection. There are two other colleges in which the voluntary system has been adopted, Merton and Corpus. In the case of Corpus I have no very particular figures. I understand that the voluntary attendance is something under one-half. In the case of Merton there was, first of all, a resolution of the college to make the attendance at chapel voluntary, and it was overruled by an injunction of the visitor, and now the principal of the post masters sees to the attendance. If a man persists in absenting himself after admonition, he is liable to be summoned before the warden, who formally reprimands him. The experiment of having a roll-call four times a week began this term. At present the two systems go on side by side. There are about 60 undergraduates in residence, and out of these the week-day morning average is 17, and the evening average is three or four. There is no Roman Catholic in the college, and no one known to be a Dissenter.

693. *Chairman.*] Have you any statistics of the Sunday attendance?
At Merton, on Sunday morning and evening all are expected to attend, and very few are absent on Sunday evenings. The Sunday attendance is insisted on much more strongly in every college in Oxford than the week-day attendance.

694. Did you give the Sunday attendance in Balliol; perhaps if you have a Paper relating to Balliol you can put it in?
The Paper as to Balliol is one which I wrote down from conversation. I am not prepared to put it in. As regards the Sunday attendance at Balliol, I can only state that it is required at morning and afternoon service. It is, I am told, very much more numerous than that on week days. The Master of Balliol constantly preaches on Sunday afternoon, and that in itself would command a very large attendance.

695. Very strong evidence has been given to us upon the influence of the Final School upon Oxford thought, as tending to produce at least momentary disbelief?

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

I have no doubt whatever that it is one of the main causes of our present embarrassments.

696. That, I suppose, is a comparatively new phenomenon?

Yes; it dates from the last great modification in the system pursued in the Honours School of *literæ humaniores*. It is mainly the one-sided study, as I should venture to call it, of modern philosophical writers.

697. Is there any special defect in the management which produces this condition of things, or is it essential to the nature of the school?

I fear it is to a great extent essential to the nature of the school as its subjects are at present distributed.

698. There is no way of preventing young men from showing their aptitude by reading a large number of the well-known works of the time?

No; the difficulty lies in the large field of subjects which they have to offer for examination. They have to take up three distinct subjects; *Philology*, Ancient History, and Philosophy; and within the time at their command, it is impossible for them to do more than master a single aspect of each one of those subjects. The injury to religion which has arisen from this school, as I cannot but think, will be in course of time very greatly lessened, because it is for the interest of the higher education, on grounds totally independent of religion, that the school should be divided.

699. That the school should be divided?

That the school should be divided. The tendency of the treatment of studies in Oxford is towards "specialising" the schools; that is to say, towards assigning a distinct school to each subject. We want a separate school of philology, dealing with philology, as it is dealt with in Germany, in a very much more thorough and exhaustive sense than we English commonly deal with it; we want a historical school which shall not, in our present indefensible way, separate ancient from modern history, by putting them in two different schools; we ought to devote a single school to its study. Philosophy should be treated in the same way. I have a great fear of philosophy as it is studied at present. I should have no fear of philosophy if it were studied thoroughly. At present, men have to read against time, with almost physical pain, a certain number of writers whom they master with difficulty, and whose words they reproduce without at all in many cases mastering their whole meaning. The most paradoxical phrases in these writers often shape and govern the thought of our students. The present school does not encourage that amount of critical power which the friends of real philosophy would desire. If a man studies philosophy in the Hegelian sense, he has no time to do justice to the experimentalists, and if he studies it in the experimentalist sense of Mr. Mill and Professor Bain, he has no time to master the Hegelians. Upon this subject I might refer to a very impartial witness in the Rector of Lincoln College, Mr. Pattison, who says in his "Suggestions on Academical Organisation," at page 302, "The character of the 'philosophical' element in that training has begun to be questioned by other than those who have surrendered their judgment to a theological party, and on other grounds. Mr. Thomas Acland, M.P. (to cite one who cannot be charged with speaking from party bias) writes, 'I venture very earnestly to urge the conviction that the intellectual freedom for which Mr. Mill gives Oxford credit, and which, within the bounds defined by Christian humility, I do not desire to abridge, would be more safely exercised, and would be stronger and more healthy if there were less ignorance of common principles and laws of nature; more security for sound training in exact studies admitting of definite certainty requiring care in the statement of the *datum* and the *quæsitum*, imposing due regard to the statement of evidence before young men are plunged into an ocean of doubt about the reality of the faculties, intellectual and moral, with which we are endowed by our Creator.'" He goes on to say, "'Some subjects are postponed so that they are hurried over; others are excluded; abstract questions and doubts are prematurely forced on minds ill prepared to master them. For example, Aristotle's Rhetoric, a favourite with statesmen and orators from Lord Grenville downwards, has been squeezed out; the Ethics and Butler are unread by many who seek honours in law and modern history.'" More than that I am afraid might be said about Butler. "'The orators are excluded from the

the course of history; logic as now taught, with its unsettled and unsettling theories, is forced on all; a wide range of physical science is approached by men who have had no training in geometry or mechanics treated mathematically.'" Mr. Pattison does not adopt all of Mr. Acland's criticisms; but he observes that the honour curriculum, "is already bursting from being overcharged with matters, and our reforms must take the direction of further specializing study." That is on page 303.

700. But why is it that the more destructive side of philosophy appears to be selected by the young men who have not time to study it in all its aspects?

That depends, no doubt, partly upon the intellectual fashion of the time; of course the world of Oxford is affected to a certain extent, indeed to a large extent, and inevitably, by the general mental atmosphere, of England and of Europe. We all of us know how things are moving in the world of thought at large, but it should clearly be the function, educational and speculative, of a University to correct one-sided excesses in thought; to provide against the exaggeration of the moment by insisting on a thorough and comprehensive study of subjects which might, at a particular time and in popular treatment, have a single side put too prominently forward. We have been failing in our duty to the thought of the country in not having done this always with philosophy.

701. This inclination on their part is not due, you think, in any way to the action, direct or indirect, of the examiners, but rather to external influences?

Individual examiners undoubtedly have very great influence upon the schools. When a set of examiners is appointed, every undergraduate who means to go in to the Honour School does his best to find out what are the examiner's philosophical views, and his reading is determined by his real or supposed discovery. Of course, in the case of a fair-minded examiner, any such prudence is more or less disappointed by a paper of questions which deals with his subject in all its aspects, and not from merely that side of it in which he feels the strongest interest; but, on the other hand, an examiner may not wish to examine in what he looks upon as an exploded theory, if he can help it.

702. So that without any guilt on the part of the examiner, his known proclivities may have a considerable influence upon the reading of the students?

Undoubtedly.

703. Duke of *Somerset.*] I think I might divide your evidence as to the imposition of tests into two parts; one referring to what you think practicable, and the other to what you think desirable?

Certainly.

704. For instance, you said you thought it desirable that the professors of moral science and metaphysical science, and even of history, should take tests?

I did.

705. But afterwards I think you came to what I may call a more practical suggestion, namely, a clause to provide for religious teaching in every college in accordance with the doctrines of the Church of England?

Some clause of the kind is a *sine quâ non* if religion in any shape whatever is to hold its own for the future in the University.

706. Supposing we took that as the practical suggestion you make, and omitted as impracticable your wishes as to the professors of history and moral and metaphysical science, do you think we should leave the University in a very dangerous condition?

I think you would undoubtedly expose young men to dangers of very various kinds, but at the same time if religion were not altogether banished from the system it would be possible to pass through the University without losing faith. I confess I think that the great source of our dangers is the present condition of the Final Schools. I am afraid I am taking a great liberty with your Grace, but perhaps I may digress for a moment; I ought to have stated to the noble Chairman just now, that cases have come within my own experience of men who have come up from school as Christians, and have been earnest Christians up to the time of beginning to read philosophy for the Final School,

Rev. Professor *H. P. Liddon*, D D. 28th Feb. 1871.

but who, during the year and a half or two years employed in this study have surrendered first their Christianity and next their belief in God, and have left the University not believing in a Supreme Being.

707. But seeing that this Bill has twice been sent up to the House of Lords as you are aware, we have to deal with a practical question?
Certainly.

708. I suppose you do not think it very likely that we could retain the tests for professors of history, or moral and metaphysical science?
I should suppose that politically it would be impossible; but that is a subject upon which I could not offer an opinion entitled to your Grace's consideration.

709. But if it were practicable to retain religious teaching in every college, and to retain the service in the chapel according to the forms of the Church of England, that would be at least a deference to the religious opinion of the country?
Certainly, and it would be very valuable so far as it goes.

710. That would be in itself of great value?
It would be of very great value.

711. You have spoken also about the study of philosophy?
Yes.

712. You have said that the study of philosophy leads men, as I understood you, first to a lax view of Christianity, and next to a lax view of religion altogether?
Yes. If your Grace will allow me to explain, I do not speak of the study of philosophy absolutely and under all circumstances, but at Oxford, and under our present circumstances.

713. It is because the young men follow the philosophy of Hegel, or Comte, or somebody else; but could you tell me who is the orthodox philosopher whom they ought to study to counteract those philosophers?
It is impossible to give so simple an answer to that question as I should wish to give to your Grace; but I should have thought that the specific positions of these thinkers has been enforced to very trenchant and effective criticism. If I might refer as against a great many of Mr. Mills' doctrines to a writer who is perhaps not so well known as he deserves to be, I should name Dr. McCosh, who was a professor at Belfast. Hegel, of course, is undermined upon two sides; he is claimed by what is called the "Hegelian Left," which subjects him to a *reductio ad horribile* in the shape of materialism; while the "Hegelian Right" would make their master teach a spiritualist philosophy better than his own. The moment you grapple in detail earnestly and believingly with these forms of thought, there is nothing really to fear in them. What I do fear is the assumption that because these thinkers represent imposing philosophical systems, independent thought is impertinent or impossible.

714. Bishop of *Gloucester and Bristol.*] I will put a question to you, carrying on the present subject that you have done the Committee the favour of bringing before them, namely, the effects of the present study of philosophy upon young and sensitive minds at Oxford. Certain statements have been made before the Committee that in some degree are coincident with yours, and in some degree, I trust, go beyond them. I will take the liberty of questioning you with reference to what has been said by others as well as with reference to what you yourself have said. I understand that your opinion is unfavourable to the present teaching of philosophy as now existing in the Final Schools at Oxford?
It is to the present restricted treatment of the subject. If your Lordship would allow me to explain, I should like it to be a matter of obligation that every man who reads philosophy for the Honour Schools at all should be obliged to study it thoroughly; the spiritualist as well as the materialist thinkers, the Scotch philosophers as well as the experimentalists.

715. Should you go so far as to say that "the upsetting of beliefs is an inevitable consequence of the system of education which now exists at Oxford"?
I should certainly not say that it was an inevitable consequence, because I know

Rev. Professor *H. P. Liddon*, D.D.
28th Feb. 1871

know cases in which it has not occurred; I would rather not adopt the word "inevitable," because, to use a common comparison, there are men who are capable of putting their religious beliefs into one box in their minds and their philosophy into another, and never comparing the conclusions of the two; and, therefore, when speaking philosophically, they continually insist upon one set of conclusions, and, speaking religiously, upon another. The convictions they entertain as philosophers contradict their faith as Theists and Christians; but they never put the two side by side. I do not think among highly educated men it is a very large class, but I know such men, and of course they are not affected. Then there is another way in which philosophical study for the schools may, no doubt, educate men very highly indeed without touching their belief; they regard philosophy as simply a product of the human intellect, to be studied as such, to be studied as a work of art, and, of course, in the process of studying it, they themselves gain the very highest intellectual culture, but they never ask themselves the question, what is the relation of all this to absolute truth? Probably they may not ask themselves that question very earnestly about even their religious creed, but at the same time they continue the habit of saying their prayers and reading their Bible, and so on, so that practically their religion survives.

716. So that the rectified statement would be, that it is not an inevitable consequence, but that it is sometimes a consequence owing to the present state of things?

Certainly; and I fear I must add that it is not unfrequently a consequence.

717. Should you go so far as to say this: that it is "impossible for any man to throw himself into the system of education for the Final Classical School without having every belief in his mind loosened for the time"?

There I must again limit the word "impossible," by the consideration which I have already put before your Lordship.

718. Let us take the word "impossible;" you would say that it is only too possible?

Only too possible.

719. Is Kant much read now?

I take it that he is probably known in the main at second-hand; his "Critique of Pure Reason" probably is read by a considerable number of men who go in for the Honour Schools.

720. Is Hegel's "Philosophy of History" much read by the higher class of men?

Yes, to a considerable extent; I think it is less read now perhaps than it was a few years ago; but I speak with a certain doubt as to the most recent habit of reading men?

721. Should you consider that that book would have a very injurious effect if read, let us say, smatteringly?

I think it would very largely depend upon the convictions and influence of the teacher or coach who expounded it; of course, as your Lordship knows, an instructive and notorious instance of the application of the the Hegelian Philosophy to History is Strauss's "Leben Jesu."

722. You spoke about moral philosophy; now, a statement has been made before us, that moral philosophy, as it is at present taught in Oxford, is totally disjoined from all religious opinion; is that really so?

It is very much more nearly true than I could wish were the case, at least as far as regards its cultivation for the Honour School. Undoubtedly the object of the school of thinkers who would call themselves most advanced, is to find a physical basis for morals which would render it unnecessary for them to refer in any way to religious beliefs for enforcing the most elementary social and moral duties.

723. Such a disjunction you would greatly lament?

Yes, certainly.

724. Have the grosser forms of materialistic philosophy found any favour in Oxford?

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

I suppose it is impossible to say that there is any form of materialistic philosophy which has not found some favour there, with some classes of minds.

725. Has such a man as Büchner found any sympathising readers among the better class of young men?

I cannot at all say how far he individually may have been read; you mean Büchner's "Kraft und Stoff."

726. And his last book?

I know of one or two cases where men have read him, but I should have thought that they found exponents of very nearly the same philosophy nearer home, and set before them in very vigorous English.

727. I will only trouble you with one or two more questions with regard to the college chapels; do you attribute any religious value to college chapels?

Yes, I attribute very great value indeed to them.

728. I am sure the Committee would gladly hear shortly the reason why you do so, though it seems strange to ask the question?

For such a purpose as this I should divide Oxford undergraduates into three classes—the "very good," a small class, who would be under any circumstances men who would do their best intellectually and morally; the "very bad," whom no system can touch; and a much larger number between the two, who are influenced most powerfully by their surrounding circumstances. It is upon that large intermediate class that upon the whole and in the majority of cases, the college chapel exercises, to my certain knowledge, a most beneficial influence. I have no doubt whatever that there are persons who are insensible to all religious considerations, and who belong to the second class, who are obliged, when attendance at college chapel is compulsory, to comply with the system, and who speak of it in later life as being a slavery and an annoyance; but I know numbers of men who, without any strong religious convictions or sympathies to begin with, have found in chapel attendance a hallowing and restraining influence during their years of residence, and have referred to it most gratefully afterwards. These are men who belong to that, numerically speaking, largest intermediate class which lies between the two extremes.

729. So that you would emphatically deplore the striking out and the repeal of a certain section (it is numbered 13 in some books) of the Act of Uniformity which, if I remember rightly, would provide that the service in college chapels should be according to the Church of England, and according to no other form?

Certainly, I should deplore it most sincerely.

730. And a safeguard of that kind you think certainly should be inserted in any measure?

Certainly.

731. It has been stated that the parish churches in Oxford, which are open, I believe, for divine service twice a day, might be considered quite a sufficient substitute for the college chapels; do you think they would be so?

No, I do not; partly because it seems very important indeed to make the religious life of an undergraduate while at Oxford part of the domestic discipline by which his college subjects him; and partly because the continuance of such services in the parish churches is precarious; it varies with the sense of duty of successive incumbents.

732. So that finally it would be the duty of those who are desirous of interposing safeguards to carefully turn their attention to the subject of college chapels?

Certainly; but might I add that not to settle the question by Parliamentary legislation would be most certainly to leave a cause of future academical disturbance in the very heart of our collegiate and University life, the magnitude of which, persons who have not looked the thing in the face can scarcely estimate. Supposing that there is no provision on this subject in your Bill, when once the majority of a common room, from very various reasons and points of view, is opposed to the system of the Church of England, the demand will

will at once be made that the chapel service shall either be put a stop to altogether, or that something else shall be substituted for the service of the Church. When the majority is reversed by fellows of the Church of England the college service will perhaps be reinstated. You will probably have a continual system of flux and reflux fatal to the moral and religious continuity of the foundation.

733. Earl of *Morley*.] I understand you to say that, as at present taught, the one-sided teaching of philosophy in the final schools trains men up in a great measure to infidelity; this is done under a system of tests; do you anticipate that by any new and more comprehensive tests you could prevent this in any way?

No, I do not think that a new test would prevent it, as I think it is dependent upon causes independent of the tests. As education itself is perfected, these causes, I hope, will be materially lessened, and therefore the infidelity in question does not in itself constitute a reason for doing away with tests.

734. But tests, as at present existing, have had no perceptible influence in preventing this infidel teaching?

No, they have not, but I might explain that that is due partly to the fact that the teaching itself has proceeded from the Bachelors of Arts, the coaches, who have not of recent years felt themselves under any kind of obligation whatever.

735. You refer to private coaches?

Yes.

736. Is it not the case that now the coaching is being rather taken into the colleges by an amalgamation of the colleges?

Yes, certainly it is. That is a feature to which I look forward most hopefully. I believe it will lessen some of our existing mischiefs.

737. The undergraduates who have been trained up in this school of infidelity are immediately, upon taking their Master of Arts degree, obliged to take some tests; do you not think that that is the cause of a good deal of what I may call immoral taking of tests, and a good deal of casuistry about it?

I fear it may be so, but of course I cannot think that the abuse of a system by individuals is of itself a reason for destroying it.

738. Has not this general sort of casuistical argument, that you described as having been used with regard to these tests, a bad effect upon the moral and religious tone of the University?

Undoubtedly it has within certain limits.

739. With regard to the chapel attendance and the Divinity instruction in the college, do you know the 4th clause of the Act before us, and do you attach much value to that clause, especially with a view to what you have told us of the effect of Parliamentary legislation at Oxford?

I am sorry to say I do not attach much value to it.

740. Upon what grounds do you not?

Partly for the reason that I think the general principle of the Bill will be held in local legislation to override it. It will be said in the council of the University, in congregation, and in college meetings, that although the Bill does not profess to interfere with any of our provisions, its general spirit and its principle undoubtedly go to the abolition of all, as they would be termed, sectarian teaching and sectarian worship, and that therefore we are bound to legislate at Oxford in accordance with the spirit of the Bill. If I might point out one instance of the failure of this clause to secure the interests of religion, it would be in connection with my own professorship, which is a Divinity professorship. So far as I know, the Ireland Professor of Exegesis may be a layman. There is nothing in the statutes of the University, nothing in Dean Ireland's will to prevent it. He is elected by the heads of houses, and the heads of houses, unless a clause is inserted into this Bill obliging them still to be members of the Church of England, may conceivably (it is, in the present state of speculation, not an impossibility) elect a man who, having a very wide acquaintance, indeed, with the textual criticism of the New Testament, should believe our Saviour to be something very like an impostor.

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

741. You say it is against the spirit of the Bill; surely it is not against the preamble of the Bill, which contains the words, "under proper safeguards for the maintenance of religious instruction and worship in the said Universities and the colleges and halls now subsisting within the same?

These words seem still to leave it an open question, whether they are safeguards enacted by Parliament or safeguards dependent upon the discretion of the authorities of the University and of the colleges. If the former, I should thankfully recognise in the words an assurance that the 4th clause would have substantial value; but if the latter, I am afraid it would be, practically speaking, almost impossible to regard them as more than conciliatory expressions.

742. It is only, as I understand you, with regard to the teaching body, not the educated body, that you would preserve tests, taking the question not in its practicable, but in its desirable point of view?

Only with regard to the teaching body, certainly as matters stand. The feeling which persons who agree with me would have as to this Bill is, that it involves the sacrifice of the interests of the University considered as a place of religious education to the interests of those members of the University who have succeeded in their own education so far as to win great prizes.

743. But that would not affect those who are mainly instrumental in teaching for the final schools; the private tutors and coaches, and consequently it would not affect the teaching for the final schools?

It would affect an increasing number of the teachers in question in consequence of the cause your Lordship has pointed out, namely, the gradual superseding of the private coaches by the co-operation of the colleges in large systems of lectures.

744. Earl of *Carnarvon*.] With regard to an answer which you gave to the noble Lord who examined you just now, I understood you to say to him that tests as at present existing in the University cannot be really said to prevent all the evils, moral, religious, and intellectual, which no doubt flow from the present system of teaching and training, as applied to the final schools?

Certainly.

745. I did not understand by that answer that you meant to qualify a previous reply which you had given, when you said that the tests, taken as a whole, did exercise to a considerable extent a counteracting influence upon the general teaching of the University at this moment, or at least upon those parts of it to which you had been referring?

I certainly did not mean to qualify my previous answer.

746. With regard to the 4th clause on which you were examined, do you remember that the 4th clause as it now stands in this Bill is a substitute for a somewhat different clause in a previous Bill that was introduced in the year 1869. If you will be good enough to follow me whilst I read the clause as it stood then, I will ask you whether you conceive that the present substituted clause is an improvement, or the reverse on the clause in the Bill of 1869. The clause stood as follows in the Bill of 1869: "Nothing in this Act contained shall be taken to extend to the provision heretofore made for the celebration, according to law, of the public worship of the Church of England within the said Universities, or any of them, or of any college or hall in any of them respectively." Do you consider that that was a better and a more effectual clause to promote the objects in view than that which now stands in the Bill?

I should have thought that it was because the equivalent expression there to "lawfully" in the present Bill, which is an equivocal term, is a distinct reference to Parliamentary enactments as being unrepeated.

747. And it is direct, whereas the present clause is rather negative?

Certainly.

748. Lord *Colchester*.] With respect to what you said as to the philosophy school, I understand that your view is that it would be a great improvement if that school was separated very much from the more strictly classical school?

Yes.

749. I believe the way in which the school has reached its present condition is,

is, that the study of philosophy generally has been added as bearing upon the study of Plato and Aristotle?
That is the history of it.

750. And until lately, "Butler" has been a book which has been generally taken up for that school?
Yes.

751. But that has now largely ceased, has it not?
It has.

752. Are you in favour of the tendency in Oxford legislation to splitting up the schools, I may almost say, infinitesimally, or, at all events, to the gradual decomposition of the schools?
I think we see the necessary limits of such specialising. The splitting up of the present final classical school into three distinct schools would be, I believe, entirely in the interests of education. I ought to add that at this moment the subject is under consideration by a committee composed partly of members of council, and partly of members of congregation, which will probably report in the course of the spring. I am sorry to understand that they are not likely to report in favour of specialising the school at present.

753. With regard to the opinions which you quoted, I understand Mr. Acland's view to be that it is objectionable that a man should study philosophy who has not studied natural science and mathematics; and that it is objectionable that a man should study history without studying rhetoric. It appears, therefore, that his opinion is rather in favour of combining subjects together than the contrary?
Yes; I quoted Mr. Acland for a distinct purpose; I quoted him, as far as I recollect, as showing the mischief arising from the study of philosophy, in the present schools, in a one-sided and partial manner. I quoted the rector of Lincoln in a perfectly distinct sentence in favour of specialising studies.

754. You would agree rather with the rector of Lincoln than with Mr. Acland upon that point, would you not?
Undoubtedly.

755. Mr. Acland's view was not that there should be a full and thorough-going study of philosophy, but he was in favour of tacking it on to even a greater number of other things than it is at present combined with?
That was, I believe, the general drift of the quotation from Mr. Acland. The main object of the rector of Lincoln was something distinct; the rector quotes him as dissatisfied with our present school.

756. You think that the study of ancient and modern philosophy should be brought together, and separated entirely from that of ancient history and classical philology and classical literature, and that ancient history and modern history should also be taught together in a separate school?
Yes, certainly. Of course it would be necessary to read as much history as was required for the study of philosophy; and the same remark would apply to each of the other subjects.

757. Therefore the separation could not be quite complete?
The separation could not be quite complete. But, in the philosophy school, for instance, only so much history as was necessary would be studied, and it would be kept strictly subordinate to the study of philosophy.

758. You would have Greek literature studied as Greek literature, without reference to philosophy as an important feature of it, and equally you would separate philosophy from Greek history, and so on?
I would not attempt to exhaust both in one school.

759. There is no branch of the subject of philosophy which you would wish to exclude, provided it were properly combined with the other aspects and branches of the same subject?
Certainly, I would exclude none whatever.

760. Do you not think, as regards the action of the final classical school, that quite as much may be apprehended from persons beginning the study of historical criticism, being taken with some of the historical and literary attacks on certain portions of the Bible, as from anything else?

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

Quite as much as regards revelation, but not as regards Theistic truths of what is called "natural religion."

761. A young man reading commentaries on ancient history might be taken for the moment by such criticisms as those of Colenso?
Certainly.

762. Should you say that all this study of German authors at first hand has grown up within the last few years at Oxford?
It has very much increased within the last few years.

763. Supposing that for any very wide system of education it is necessary to read a great many books whose authors are dangerous in a theological point of view, you would think it all the more desirable that in the case of the lecturers on those subjects there should be very great safeguards with respect to their religious opinions?
Yes, in order that they might exercise a corrective influence where it was necessary.

764. Then, with regard to what you have said about tests, when a very wide range of study is maintained, is it not all the more desirable not to abolish all restraint upon the teachers' opinions?
Yes.

765. You suggested, I think, that there should be power to compel the lecturers not to teach anything contrary to the Church of England?
Yes, I did.

766. Would you prefer a safeguard founded on his own declaration to any power on the part of others of controlling him or removing him?
Very much indeed; a power on the part of others of removing him would be exercised only in very extreme cases, whereas a declaration on his own part would appeal to his sense of honour; I think a declaration in some cases would be necessary.

767. You think that it would be more effective than the other safeguard?
Certainly.

768. And that it would not be more objected to?
I am not sure of that.

769. Do you attach any importance to the test for heads of colleges, supposing the other tests were removed?
I think if it were possible to maintain it, it would be very desirable to do so.

770. The head would then be able to exercise a power of maintaining religious instruction, which is one of the subjects, the preservation of which it is the special object of this Committee to inquire into; I am speaking of a test being retained for the head alone?
There can be no doubt of it.

771. Can you suggest any safeguard with respect to the ecclesiastical patronage of the colleges which might be exercised in an undesirable manner, if all restriction on the governing body, in a religious sense, were done away with?
I am sorry to say I fear that, if this Bill becomes law, the best thing that could be done would be to encourage or to oblige colleges to sell their ecclesiastical patronage.

772. With respect to the date of the endowments, there are three colleges which are all decidedly Post-Reformation, namely, Pembroke, Wadham, and Worcester?
Certainly. Jesus College might be added.

773. You would think it desirable to retain them on a different footing to the rest, would you not, supposing some Bill like this to be inevitable?
Certainly, if it were possible to do so.

774. If that were done, there would be represented in the University both the wishes of those who desire a strictly denominational system for their sons, and the wishes of those who do not; would not that be so?
Yes, I think so.

775. The

775. The advantages, whatever they were, of each of those systems, would be obtained?

Yes; in my opinion it would have been a very much better solution of this whole question, had it been possible to denominationalize all the colleges even at the cost of a very large amount of Church property.

776. You would have surrendered some of the colleges with that object?

I would have surrendered even one-half to persons who do not belong to the Church of England, if the remainder could have been retained; and, I believe, that in the remaining colleges so retained, there would have been a new and a much more vigorous religious life, and the Church of England system would have been kept intact.

777. If it were possible for there to be fellows of, we will say, four different religions in the different governing bodies in a college, and especially if there was no test for the head, might there not be disputes on grounds of theological party on the occasion of the election of the head, which, however they ended, would embitter the life of the college?

Yes.

778. But the retention of a test for the head alone would, to a certain extent, check that, would it not?

It would; it would close many very awkward questions.

779. Lord *Rosebery*.] I understand you to say that you do consider some modifications of the present system of tests to be necessary for political reasons?

Yes.

780. Do you consider that the general spirit of the Bill would have an injurious effect upon University legislation?

Certainly.

781. Would it be a fair summary of your views to say, that you would be in favour of a Bill for the abolition of tests, but that you would be at the same time favourable to tests?

That seems to involve a contradiction. I should be in favour of a Bill for making such a modification of the existing system of tests as would be compatible with the substantial interests of religion in the Universities.

782. Did I understand you to state that the tests you proposed for tutors and professors, were tests which you considered practicable in the present state of public opinion?

That is one of those questions on which your Lordship would be able to form a more accurate opinion than I could, but I should have thought that they would be practicable.

783. Would it be practicable, for instance, that a professorship of History should be made the subject of a very strict test?

No; the professorships of History and of Moral and Metaphysical Science, I suppose, public opinion would not allow to be accompanied by any test whatever; but I should have thought that in the case of college tutors it would allow of some tests being imposed. This is, in reality, a parent's question. The parents are the people who are, as it seems to me, the most interested in it, and their interests are not quite sufficiently considered in the proposed Bill.

784. Do you not consider that the influence on religious opinions is far greater of a private coach, who is generally a Bachelor of Arts, and has not taken any tests, than of a University professor or a college tutor?

The private coach, as I have already said, is disappearing, and is not unlikely to disappear altogether, in the enlarged system of college lectures; but I should have thought that his influence would always be limited in a very large number of cases, if beyond and above him there were persons to whom students looked with respect on intellectual grounds, and who notoriously occupied their positions as professing loyalty to the Christian creed.

785. My experience among undergraduates was rather that a coach, with a tendency to epigram, and with some hostility to religion, would have a greater

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

influence upon the minds of his pupils, whom he saw more frequently than the tutor did, than would be exercised by the tutor himself; would your experience not bear that out?

I should agree that at the moment he would; but I should say that such an influence would be in its very nature transitory, looking to the influences which govern life and opinion in the long run. In after life the epigrams of the private tutor would be probably disregarded or forgotten; whereas the patiently and soberly-expressed conclusions of a man occupying a responsible position, would certainly weigh very largely indeed with a number of those who would come under his influence.

786. With respect to the chapels, I think the attendance is still compulsory at Christ Church upon members of the Church of England, is it not?

It is compulsory in theory, but the compulsion is exercised very gently; that is to say, unless a man is absent something like half the number of chapels in the week, no notice is taken of it.

787. Still that would produce an attendance two or three times a week, *besides* twice on Sunday?

Certainly.

788. You have given statistics of the number of Roman Catholics and other Dissenters at Christ Church; is it not the fact that Roman Catholics have ceased to come there?

No, by no means. There are some at Christ Church at present. At this moment I believe there are at least four in residence.

789. Earl *Cowper*.] I think you said at the beginning of your evidence, that the necessity is felt apart from Parliament or from public opinion in the country generally, in the Universities themselves, that the present tests should be modified?

I was alluding to what is frequently said about the great number of propositions which are contained in the Thirty-nine Articles, and that a smaller number of theological propositions might be more easily assented to conscientiously.

790. So framed as to admit Dissenters and Roman Catholics, but to exclude Unitarians?

To exclude Unitarians, Deists, and people who believe less than Deists.

791. Do you think that the feeling of this necessity comes from a wish to admit those people, and not from a feeling that the University ought not to be denominational in any way?

Both feelings have their weight. It is impossible to make these general statements without a danger of being inaccurate. A certain number of persons sympathise with excluded classes; others are prejudiced in favour of secular education.

792. You do not think that there is a strong feeling in the Universities that they ought not to be denominational, but you rather think that that feeling is confined to a few persons?

I would rather say that there is a very great division of opinion among the residents in the University. There are still a large number of persons who think that its old connection with the Church ought to be retained, and there are a very large number of persons who are for throwing it absolutely open to the nation without any restriction whatever in favour of the Church, or of any form of Christianity; and there are also an intermediate number of persons who are for making the University national, but the colleges as denominational as they can be made under the existing circumstances.

793. Do you think that when it comes to pass, or if it comes to pass, that the Church would be altogether unprotected by statute, she will not be strong enough in the University, surrounded by all the associations and advantages which she has in her favour there to secure her doctrines being taught; do you think that there is any real danger that as soon as she ceases to be protected by statute, her doctrines will no longer be taught?

Yes, I think there is danger; not because I doubt the power of the Church to hold her own, but because I doubt the wisdom of bringing young minds altogether unversed in questions that affect elementary articles of belief face to face, without sufficient preparation, and without sufficient safeguard, with a negative criticism directed

directed against those articles. Supposing the great mass of undergraduates at Oxford, instead of being practically 6th Form boys, were really men who had looked at these questions in their general bearings, you might throw everything as open as you liked. But it is because Oxford is a place of education in which the great problems that interest us all cannot, from the nature of the case, possibly have been studied by anything like two-thirds of the undergraduate residents, that a measure which abolishes these safeguards must be attended with extreme danger to the faith of the Church in the rising generations.

794. I think you have stated, that at present there is no check upon the reading or the studying of any books, however infidel their tendencies may be, and, in fact, in many respects you admitted that a man who came up for a high examination was expected to have studied those books?

Yes, undoubtedly; but still under the present system, if the authorities who direct these studies do their duty, they are bound to suggest the considerations, which are natural to an educated man who is moderately master of the subject. In this way it is possible not only to eliminate the mischief from these books, but to make them, as I think, very useful means of intellectual culture. Whether our teachers do their duty in that respect or not, in all cases, is another question.

795. You would not feel much doubt that the men who would get into high authority, or have the general superintendence of the teaching, would be men of that class to any great extent if we did away with the tests, would you?

I should not be sufficiently sure of it. It would probably occur to your Lordships, that a kind of gentlemanly feeling as to what was due to pupils who came under their influence would prevent professors or teachers from suggesting very strong doctrines of a negative or infidel description to their pupils. I do not myself believe in the power of that motive. I do not believe in it, because I believe in the earnestness of men who hold negative creeds, so to call them, as well as in the earnestness of men who hold positive ones. If I, as a Christian, have to deal with young men, I feel that the best thing I can do for them is to persuade them of the truth of Christianity; and, in like manner, if I thought that Christianity were an old-world superstition, I should think that the best thing I could do for my pupils would be to convince them that it was so.

796. You do not think that there is any danger of orthodox Christianity ceasing in the University under any circumstances, do you?

No; no doubt the social and religious world of England must undergo a very great revolution before we reach a point at which no orthodox Christians are to be found among the residents.

797. Lord *Lyveden*.] I think you stated, in answer to some early questions, the tests which you thought desirable to be established, qualifying it with the conditions which were possible. Upon what does that possibility depend; does it depend upon the public opinion in the Universities or in the country?

Mainly upon the public opinion in the country, I think.

798. I believe you have admitted the public opinion in the Universities to be in favour of the abolition of tests; does that apply to the abolition of all tests, or only to the abolition of the present tests?

As regards the public opinion in the University, I believe that it is still a minority in the University which is in favour of the abolition of tests.

799. Only a minority?

Only a minority, but an extremely influential one.

800. Would not the opposition to the tests you propose be the same as the opposition to the present tests?

It would probably be slightly, but only slightly, less.

801. It would not be much altered?

It would not be very much altered: it would be slightly altered in the direction of being weakened.

802. The opposition in the country would probably be the same to any tests which were devised as to the existing tests, would it not?

I should think it would be so while the opinion of the country was as uninformed as I think it is at present as to the real questions at issue. The real

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

questions at issue at Oxford lie between Christianity and non-Christianity; but they are supposed in the country generally to be between Church and Dissent.

803. Did I understand you to say that you find any safeguard for the religious character of the University in the present Bill, including the 4th clause?

I am afraid the Bill contains no practical safeguards of any great value for a reason which I have stated, namely, that when once the Bill becomes law, the effort of the University residents will be to bring legislation, both in the University and in the colleges, into harmony with that which is presumed to be the governing principle and spirit of the Bill.

804. Then, according to you, the present Bill affords no security for the religious character of the University?

I cannot make so sweeping a statement as that, because the present Bill expressly excepts the Divinity degrees, and it does not propose to touch the clerical fellowships, but how long these exceptions to its general scope will remain intact is of course quite another question.

805. The only safeguards you have proposed are certain religious tests, which you think would be equally objected to with the present tests?

I cannot say that I think they would be equally objected to.

806. You think they would be less objected to?

I think so, because they require assent to fewer propositions.

807. In the country and in the University?

I think so, at least in the University.

808. Lord *Houghton*.] Does not the very word "safeguard" imply a certain restriction upon the liberty of religious thought?

Undoubtedly it does.

809. Therefore the effect of the abrogation of those tests would be to give to such questions in the general mind of the University a larger liberty than they now possess?

Undoubtedly.

810. But, on the other hand, does not the fact of these religious tests being before the mind of the University, and being a subject of discussion in the University, tend to direct the minds of many students to the doubts and difficulties of those subjects, who perhaps otherwise would remain undisturbed?

I am by no means sure that that is the main effect. I am understanding your Lordship to speak now of the effect of tests, especially upon the study of theology. Supposing you remove all tests whatever, a natural and inevitable result will be that you will at once have the very wildest speculations proposed by very clever men indeed, without any restraint on the score of duty, to their pupils. I cannot think that, whatever may be the incidental irritation and distress that may be caused by the system of tests as at present enforced, it will be at all comparable with the embarrassment that would result from entirely unrestrained speculations and discussions on primary questions of Christianity and theistic truth.

811. Would not the effect of the abolition of the tests be in some degree to assimilate the condition of the University upon these points to that of the outer world?

No; I do not think it would. Your Lordship's is a very natural question, but you do not, if I may venture to say so, make sufficient allowance for the great distinction between University and general society. In University society there is always a tendency to encourage in every single subject intellectual speculation for its own sake; residents in Oxford, in whatever direction opinion may be moving, do not generally think that they are bound to take the common opinion of the country very largely into consideration. On the contrary, it is rather a point of honour not to do so. This may be illustrated by the history of the Tractarian movement; and the same tendency to a jealous assertion of the intellectual independence of the University is observable in the movements which have succeeded Tractarianism. Rightly or wrongly, residents at the University suppose that as their business is to read and to think, they are bound, in stating their conclusions, to be as little hampered by popular formulas and popular misconceptions as they can; and therefore, when you have removed anything like a safeguard,

safeguard, you cannot at all count upon the general opinion of the country being taken very largely into account, even for commercial reasons, amongst residents at Oxford, as a sort of popular test of orthodoxy.

812. Then you attribute nothing to the irritating effect of the conventional imposition of tests?

I attribute something to it, but it is a question of difficulties on this side and on that, and this appears to present the less difficulties of the two.

813. Have you had many instances of men who have taken high honours in the University being prevented from fairly sharing in its emolument by holding doctrines which precluded them, in honour or for other reasons, from taking those tests?

Such cases I believe have been very few indeed at Oxford. I might show how much extension the present Oxford system admits of, by pointing to our very distinguished Regius Professor of Civil Law, Dr. Bryce, who is a Presbyterian, and who has felt no difficulty in taking his present position.

814. Would you not attribute the present strong feeling upon the matter which has exhibited itself in Parliament, more to considerations of social justice of that kind than to any speculative reasons whatever; I refer to the public opinion which is in a certain degree in favour of this measure?

I think that that is very probable. I have no doubt that one great element of the feeling in favour of doing away with tests is the desire on the part of the great body of the Dissenters to be admitted upon terms of perfect social equality to the Common Rooms at Oxford. That is, no doubt, a very powerful motive; and I should be very glad indeed, as far as was possible, to conciliate the feeling which it represents.

815. Do you think, considering what the predominance of religious feeling among the Nonconformist body in England is, that the simple introduction of men of that kind would in any degree injure the religion, or, to speak more appropriately, the devout feeling of the University?

If the operation of the Bill could be restrained to the case of Trinitarian Nonconformists, I should feel much less anxiously about it than I do: but it is because, while the Nonconformists are put forward as the class of persons who will be relieved by the Bill, a very different class of persons will in reality be introduced by it to places of influence and power in Oxford, namely, those who hold most loosely to religion altogether, that I really fear it.

816. May we not justly assume that the present predominance of a strong sceptical feeling in a certain body at Oxford has arisen more from men dabbling in metaphysics, in some degree in consequence of the study of Aristotle and the predominant character of the instruction now given, than that it is likely to be a permanent influence in the University.

No, I do not think that; I think the study of Aristotle has been a source of almost unmixed good. The causes which I have already been trying to explain as being those which have led to our present embarrassment are of a very much wider kind. They are remotely, no doubt, due to the fact that we are affected by the great waves of thought which are passing over the whole European world; they are, more particularly, the result of the extreme mismanagement of a most important department of study at Oxford. I mean the one-sided study of philosophy by candidates for honours.

817. Have you ever thought and explained to yourself why it is that we at Cambridge have been troubled with these matters so much less than you have at Oxford, and that such a school has not at any time been prominent in the education or in the teaching of our University?

I suppose it is due partly to the fact that the mathematical rather than the moral and metaphysical sciences have occupied in past years so much more prominent a place at Cambridge than at Oxford. But the exemption has not been purchased by Cambridge so cheaply as could have been wished.

818. Earl of *Harrowby*.] I think, in your suggestions of applying a test less stringent than that which now exists, you contemplate the possibility of separating those who are now against the existing system into two classes—those who wish to exclude all religion from teaching and all security for the religious

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

character of the teaching, and those who think that it should not be narrowed to what some may call the denominational teaching of our own Church?

Certainly; those are two distinct classes of opponents.

819. And you hope that, by widening your basis, you may satisfy so large a portion of those who are opposed to the existing system, as to remove all reasonable objections?

Certainly; all that I should deem reasonable.

820. Further, you have observed, perhaps, that the principal pressure which has been made upon public opinion has been caused by the exclusion of persons who have acquired high honours at the Universities from what we may call the rewards of learning?

Certainly.

821. In the shape of fellowships?

Yes; those instances, I believe, have chiefly occurred at the University of Cambridge; I do not remember any prominent cases in my own University.

822. But you consider that the question with regard to the rewards of learning, and the question with regard to a share in the actual education of youth, are two very distinct questions?

They are two very distinct questions.

823. And the pressure upon public opinion has been rather in the direction of one than of the other?

Certainly.

824. People have been inclined to consider, that if you gave to a man the rewards of learning, namely, the 200*l.* or 300*l.* a year which belonged to a fellowship, you must, as a matter of course, and as a matter of logical sequence, give to the same man a power of directing the education of youth in the colleges?

That has been the assumption.

825. You wished to separate those two things?

Certainly I should be very glad to see three distinct classes of fellowships created, if possible—one of tutor fellowships, one of student fellowships, and one of prize fellowships; and as I suppose that some kind of legislative dealing with the whole system of fellowships, as we have lately heard from a very high quarter, is inevitable, it would be possible in that way, I think, to limit the dangerous results which might be otherwise expected from a Bill like this very considerably indeed.

826. You have no objection to see the rewards given to intellectual distinction?

None at all, if the fellowships of a college were divided into the three classes I mention, tutor fellowships, student fellowships, and prize fellowships. A prize fellow would be allowed to marry, and the tenure of his fellowship would be terminable, say, after a period of five, or at the most, 10 years. The student fellowships would be held for 10 years only, but the student fellow might be allowed to earn the tenure of his fellowship for life by producing some work which his college should recognise as of sufficiently high character, or by engaging in some course of study which did not of itself admit of the production of such a work, yet was approved by his college. The tutor fellows would consist of those who lived on the spot, engaged in the actual work of tuition, and who, after a certain number of years so employed, might earn a life fellowship.

827. Earl *Stanhope.*] Will you allow me to ask what you mean by "producing some work;" do you mean publishing a book, or doing college duty?

Publishing a book. The objection which has been popularly urged against the Universities, and urged with the greatest possible force, is that a very large portion of our income, probably something like a half of it, is spent altogether away from Oxford; that it is spent simply as prize money, and that there is no kind of educational return made for it. Any serious reform of our present system of fellowships must take the direction of making all purely prize fellowships, not followed by some valuable work, terminable at a very early period; the retention of the remaining fellowships must depend upon a man's doing a certain amount of work, and upon his recognising the purposes of the University in the particular work done in one of two ways, the one being the pursuit of study

study in literature or science, and the other the communication of knowledge to young men. Supposing such a division of fellowships as that should be adopted by the Legislature, then I should at least plead that supposing you exempted altogether the prize fellow, and probably the student fellowship, from any test, you should insist upon a test for your tutor fellowships. You would then be able to harmonise the two functions of a University, as encouraging by prizes the highest learning on the one hand, and not making the enjoyment of those prizes dependent upon belief; and on the other hand you would not, as a consequence of this, imperil the whole moral and religious attitude of a great educational institution towards the young men placed under its charge.

Rev. Professor *H. P. Liddon*, D.D.

28th Feb. 1871.

828. Earl of *Harrowby*.] In fact the question of prizes, and the question of governing power in the education of youth, are entirely two distinct questions, which ought not to be mingled together, and the one ought not to be tainted by the reasoning which convinces you with respect to the other?

The questions are entirely distinct.

829. Do you not think that the wishes of the parents should have a considerable influence upon the decision of this question?

I think it is a question which concerns parents more than any other class in the community.

830. Is not it a fact, that owing to the position in which the Universities and colleges stand as to the emoluments of various kinds connected with them, a great many parents are really almost compelled to send their children to the Universities, that they have a kind of moral compulsion imposed upon them to do so; and have they not therefore a title to some kind of consideration if they wish that moral and religious guidance should be afforded to their children as well as a mere set of lectures administered to them?

I should say so, certainly. And, in addition to the sterner and more exacting class of reasons for sending sons to a University, there is the influence of long family connection with particular colleges which persons would be extremely unwilling to break, and which will probably continue in any case, even under the totally different circumstances which would be introduced by the Bill.

831. *Chairman*.] You do not contemplate by any legislative means to reform the defects which you have noted in the final classical school, do you?

Certainly not; I have no doubt whatever that from a true instinct as to the interests of education itself, the University sooner or later will herself settle that question in what I believe to be the manner most conducive to the interests of religion as well as of learning.

The Witness is directed to withdraw.

THE VERY REVEREND HENRY LONGUEVILLE MANSEL, D.D., DEAN OF ST. PAUL'S, is called in; and Examined, as follows.

832. Earl of *Carnarvon*.] I KNOW that you have paid very great attention to this question, both whilst you were resident in Oxford and even since your residence there has ceased; I shall propose to confine myself, at all events in the first part of your examination, to asking you very briefly whether you can suggest any alternatives to the present system of tests, and whether you can suggest anything in the nature of a safeguard to be introduced in the event of the present system of tests being repealed; in order to clear the ground, perhaps it will be better to ask you whether you so far agree with the point of view from which I put these questions, that you would be in favour of some system, at all events, which would maintain the religious influence, to say the least of it, in the teaching of the University, which would preserve also some kind of connection between the two Universities and the Church of England, and which, practically, would involve the minimum of restriction so far as conscientious scruples are concerned?

Very Rev. *H. L. Mansel*, D.D.

I should certainly be in favour of such a plan, taking it for granted that the present system cannot be maintained. Looking to what is most available under existing circumstances, I should certainly be in favour of some such system of safeguards beyond what is proposed in the present Bill.

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

833. Then, if you please, I will take each of the different heads in succession, and I will ask you first of all how you would deal with the M.A degree and the membership of convocation, then with the professors, the college tutors, and so forth, one after the other; has it occurred to you that any modified test could be established with reference to membership of convocation, or would you, looking at the stage which affairs have now come to, be disposed to abandon that?

I doubt whether it will be practicable to maintain the system of a test of personal belief with regard to the general membership of convocation; I do not think it will be practicable to do more than to require a guarantee of the action of the members of convocation, in their office as such, without reference to individual belief; a declaration, for instance, similar to that which was exacted from the Roman Catholics at the time of their admission to Parliament, that they would not use the power so obtained to the detriment or injury of the Church of England; a test of that sort would, I think, be the utmost that, under the present circumstances, could be required from members of convocation.

834. It would be a test which on the one hand might reasonably satisfy those who were in favour of the older system, and which on the other hand ought not to offend those who are in favour of a change?

It ought not, I think. I do not say that it would not.

835. Of course in such a case you would be content to allow the test for the M.A. degree to go?

Yes, I do not think it could be maintained. I am looking at it as things are under present circumstances, and not at what is in the abstract desirable.

836. Such a concession on your part would not, of course, involve a change with regard to the Divinity degrees?

No, certainly not.

837. You propose to retain them as they are now?

Yes; the Divinity degrees, certainly. This concession would apply to the Master's degree in Arts, and to the Doctor's degree in Law and Medicine.

838. Before leaving that point, perhaps you will allow me to ask you whether your view would agree upon that point with the evidence given by a witness recently before this Committee, who, when he was asked whether in the case of the divinity professors he would assent to the abolition of tests, stated that he was rather in favour of the system prevailing in one or two foreign Universities, and which is supposed to work well there; namely, that there should be a separate faculty of Divinity for each of the different branches of Christianity; do you conceive that that would be inapplicable to Oxford even under the very changed system of the present day?

Certainly it would at present; and I should be very sorry to see Oxford develope into such a condition. At present I think it is not in a condition in which such a state of things could be applied to it.

839. Will you give the Committee one or two reasons why you conceive that it would be practically inapplicable?

In the first place, at present you have not got the persons to form the teachers in such separate faculties; it would require a very considerable development of teachers in different denominations before you would have the material for applying such a system. Then I think, in considering such a question, you should bear in mind the much more domestic character of the training at the English Universities than that at the foreign Universities. Such a thing as school lecturing against school, and faculty against faculty, would have a very great tendency to unsettle the religious belief of the younger men. I do not think it is practicable in the present state of things, and I do not think it would be desirable if it should ever became practicable.

840. If there is any truth in the statement that the present system goes far to unsettle the younger men's minds in the fundamental doctrines of Christianity, a change of that sort would be likely to carry that unsettlement a great deal further, would it not?

I think it would, but I think much of that which unsettles young men's minds

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at the present time, is not a consequence of the system, but in spite of it. It is not so much the system which does it as the liberty allowed to individuals.

841. Is not that part of the system?

Indirectly it is, but what I meant was this; I do not think that the unsettling of the young men's minds at the present day is in consequence of any rules or principles avowed by the University, but it is very much owing to the abnormal action of individuals.

842. Passing, then, to the next head, namely, as regards the professors, I think you are aware of a declaration which was proposed in the House of Commons by Sir Roundell Palmer, to the effect that nothing should be taught contrary either to Scripture or to the doctrine and discipline (I think it was) of the Church of England; is that a declaration which you would be disposed to exact in the case of professors?

On the whole I should say it is very similar to the obligation which is now imposed by the University statutes. I am not quite certain whether the effect of the Bill, should it pass in its present form, would be to abrogate that statute, but there is at present a statute of the University by which professors are forbidden to teach anything that is contrary to the Catholic Faith or to good morals. I have a copy of the statutes here, which will show you what is now the University law upon the subject. The statute says: "*Item statutum est quod nullus professor aut prælector publicus quicquam directe vel indirecte doceat vel dogmatice asserat quod fidei Catholicæ vel bonis moribus ulla ex parte adversetur.*" It would only be substituting a declaration for a statute.

843. It would be a Parliamentary declaration?

It would be a Parliamentary declaration instead of a University rule, of course.

844. Do you think that a declaration somewhat in that form and going to that extent, would meet the case of professors?

I think it would be all we could ask of them under the present state of things, and it would be to a certain extent a safeguard.

845. Going next from professors to the class of college teachers, would you draw a distinction in the quality and the kind of test which you would require of them?

I think we must do so, because the position of a University professor is very different from that of a college teacher, or of any college officer who is brought into direct contact with the undergraduates of his college, either as a tutor or as a dean or censor. As having duties in connection with the religious worship of the college, or with the system of instruction given there, the position of such an officer has very much more of a domestic character in it. There is not only what he actually teaches in his lecture room, but there is also a very great amount of personal intimacy, very often, between a tutor and his pupils in the college, and we have to take into account not only what he gives out from his chair as teacher, but also the whole of his personal influence, he being to some extent *in loco parentis* to his pupils.

846. Of course you can state to the Committee from your own great and long experience in this matter, that the influence of a college tutor is personally very great, and constantly exercised upon the minds of the young men with whom he comes in contact?

No doubt in many cases it is.

847. He does, in fact, of course represent in a modified form, the influence either of the father or of the guardian?

To a great extent he does; and moreover, any tutor who gets on intimate terms with his pupils will very often be consulted by them upon any matter of doubt or difficulty in their own minds; in many cases they would naturally come to him for advice and assistance, which they would not do to one who was comparatively a stranger to them.

848. Taking, then, all these considerations into account, what would be the minimum you would be disposed to require in the way of a test as affecting the college teachers?

As affecting college teachers I do not see the possibility of having any general

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

religious test which should not be at the same time a distinct Church test. As soon as you come to anything like a general test of Christian belief, such, for example, as the Nicene Creed, of course it would tell in a very different way upon different persons. The circumstances are these; a parent finds his son, when he is sent to college, brought into intimate personal relation with the tutors of his college, or some of them, and liable to be affected, not only by what they teach in their lecture rooms, but by all their indirect influence; it would make a very great difference to the mind of a parent whether the tutor with whom his son was brought into these relations was a Roman Catholic or an English Churchman, for example; but a general religious test would include both; therefore, if the connection of the college with any definite religious teaching is to be retained at all, I do not see how any test can be available for the purpose except a definite Church of England test; it might be of a moderate form; it might be, for instance, such a test as is required in the Act of Uniformity, a declaration of conformity to the Liturgy of the Church of England, but it could hardly be less than that.

849. Even taking this Bill as the basis of our proceedings, as it now comes before us, would there be anything inconsistent with the assumed spirit and provisions of this Bill in such a declaration. If you will look at the 4th clause, you will find a proviso in effect, that nothing in the Act shall interfere with the religious worship which now is established in the colleges. That religious worship is undoubtedly the worship of the Church of England, and, therefore, I presume that in this proposal of yours there would be nothing inconsistent with what we may fairly assume to be the spirit of the Bill?

It might not be inconsistent with that clause, but I am afraid it would come in conflict with other parts of the Bill.

850. It would be indirectly, and as a matter of detail, would it not, that it would so come in conflict?

Yes, as a matter of detail. By Clause 3 of the Bill, it is enacted that no person shall be required to make any declaration respecting his religious belief, or to conform to any religious observance as a condition of holding an office in any college, and the term "office" is so defined in the previous clause as to include a tutorship.

851. However, with reference to college teachers, the test which you would require would be some form of declaration of conformity with the Liturgy, or the discipline of the Church of England?

I think that that is the least which could be admitted with safety to any religious teaching in the colleges.

852. When you come to the question with regard to the heads of colleges, I presume you would be content to leave them in their present position, would you not?

I desire to leave them as they are. There was a clause to that effect in the Bill of last year when it came into the House of Commons. I think it very desirable that a clause of that sort should be re-enacted. It was, that "nothing in this Act shall apply to the headship of any college."

853. You would attach some importance to the retention of that clause?

I should attach very much importance to it.

854. As regards the practical working of collegiate life?

Both as regards collegiate life and as regards University life. The head of a college would be the person naturally required to enforce any provisions for the religious teaching or discipline of his college. He would be the person ultimately responsible for the whole discipline and training of the college, and especially for the conduct of religious worship. Then again as regards the University, the Vice-Chancellor is appointed from among the heads of colleges, and the Vice-Chancellor's duties with regard to the religious services of the University are very important; for instance, he has the appointment of some of the University preachers, and he has a voice in many of the appointments to other offices in which religious teaching is involved.

855. We have had it stated in evidence here that the functions and powers of the heads of houses are less in some respects than they have been supposed to be; still I presume your opinion would be that the influence which the head of a

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house exercises in his own college, whether direct or indirect, is not one which ought to be thrown away?

Very Rev. *H. L. Mansel*, D.D. 28th Feb. 1871.

Certainly, but his practical influence would be much greater than the mere voice which is now allowed him under the recent ordinances, although it is considerably less than it was under the former statutes.

856. As we have now gone through the various branches of the subject as it regards members of convocation, professors, college teachers, and heads of colleges, there only remains to be considered the position of fellows; I presume that you would divide that class very much into those fellowships which are of a sinecure character, and those on the other hand to which certain duties are attached?

I think you may so divide them. The complaint of which one has heard a good deal lately, about men who have taken high honours being debarred from their proper rewards, applies only in that point of view in which you look upon a fellowship as a reward. You may divide fellowships into two distinct classes; those which are simply rewards for past University distinction, and those which involve future duties towards the college.

857. Will you be good enough to tell the Committee how you propose to deal with these two separate classes, taking first the case of those fellowships which you may rank rather in the category of sinecures?

I should not be disposed, in the present condition of things, looking to the state of public opinion, and the difficulties which stand in the way of retaining the present system, to insist upon religious tests with regard to those fellowships which are merely fellowships, and which are not accompanied by the tenure of any office of discipline or teaching in the college; I think also that some other changes not directly affecting this question, but belonging to it indirectly, might be advantageously introduced with regard to such fellowships. I think, for example, it would be very desirable if a fellowship which is an entire sinecure were only tenable for a limited number of years; a sinecure for life acts injuriously in many ways. On the other hand, I should not be disposed to put such a restriction upon those fellowships which were combined with some duties of teaching or discipline.

858. Would you relax the rule as to marriage in the case of sinecure fellowships?

I think that might be done; I have no very strong feeling in favour of or against it, but I do not think there would be any great objection to such a rule as this, that a man who holds a sinecure fellowship should resign it within 10 years after his election, and during that time he may be at liberty to marry or not as he pleases.

859. I presume that there are practical advantages in retaining a certain number of fellows unmarried, are there not; that is to say, if they are concerned in the work and government of a college?

I think in many respects there are. There are many points connected particularly with the discipline of a college which may be much more effectually administered by men residing in college rooms, who will therefore be unmarried men, than by those who, as most married men must do, are living outside the college.

860. Would you give to those sinecure fellows any voice in the government of the college?

I think it would be undesirable to give them a voice in the government of a college strictly as regards its education and discipline. There are some points, such as the administration of college property, which do not directly affect the college as a place of education; and in respect of these it might not be necessary to make such a restriction; but as regards education and discipline, the intervention twice a year of non-resident fellows is, I think, a serious disadvantage. They just come down to vote upon measures affecting religion or discipline, and they go away leaving the resident fellows to carry out the resolutions so arrived at as best they may.

861. They come down without having much knowledge very often of the internal affairs of the college?

Yes; very often they have very little knowledge of them indeed.

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

862. And they generally come with a foregone conclusion?
Generally.

863. Assuming this idea, would you be disposed to exact residence from such fellows?
I think not; I think the great advantage of a fellowship, looked upon simply as a reward for University distinctions, is that it affords assistance to young men in *their first start in a profession*; and for that purpose it would be desirable that *they should be allowed to prosecute their profession* in any place which was most *convenient for the purpose*.

864. From a sinecure fellow, as I understand, you would exact no kind of test?
Under present circumstances I would not. I think it could not be maintained.

865. With regard to the second class of fellowships, those to which certain collegiate duties are attached, how would you propose to deal with them?
I should allow such fellowships to be held for life, provided the fellows remained unmarried; after a certain length of tenure of a college office, say 10 years, a man should be allowed to hold his fellowship for life. I think it would be right, that after serving the college for 10 years, he should be allowed to retain his fellowship for the rest of his life if he remained unmarried. As regards his duties in the teaching and discipline of the college, it is to that class of fellows that I think it is still necessary to apply some test for their religious teaching and influence in the college.

866. What would be the minimum test which you would say under such circumstances was required?
I think such as I suggested just now; a declaration of conformity to the Liturgy of the Church of England would perhaps be the minimum that would be an effectual security.

867. To sum up, therefore, what we have been discussing, I think your proposals would take this form, that the tests might be abandoned in the case of the M. A. degree and membership of Convocation?
Yes, with simply a declaration on the part of the person becoming a member of Convocation that, as such, he will not use his influence to the detriment of the Church of England.

868. In the next place you would propose that the tests should be rigidly retained for the Divinity degrees?
Yes; I ought perhaps to make one addition to that; I would say, the Divinity degrees and Divinity professorships, because there are some Divinity professorships which are tenable without Divinity degrees.

869. Thirdly, that a test analogous at all events, or similar to that proposed by Sir Roundell Palmer, should be required from professors?
I think so; that is to say, from professors other than those of Divinity.

870. Fourthly, that a simple declaration of conformity with the Liturgy and the discipline of the Church of England should be required in the case of all college teachers and fellows to whom any collegiate duties were assigned?
Yes.

871. Fifthly, that the test should be relaxed entirely in the case of those fellows who were enjoying what you may call sinecure fellowships?
Yes.

872. Sixthly, that the heads of houses should continue in their present condition?
Yes, certainly.

873. With regard to another point, which has been a good deal discussed to day, I presume that you would be of opinion that a very great change has taken place in the course of study at Oxford since the time when you were in residence there, and taking an active part in tuition?
Yes, I think it has.

874. That change, I suppose, is one which you would agree with the last witness,

ness, in describing as having an injurious effect, especially so far as the course of reading for the final schools was concerned?

I think, on the whole, it has, though much of that effect is more due to individual influence than to any distinct change in University legislation. Part of it is due to legislation, but by far the greater part to a prevailing current of opinion in the place.

875. That current of opinion, I suppose, is indicated, at all events, in a substitution for the text books which were formerly in use, to a great extent of commentaries and criticisms upon those books?

It is the effect of the commentaries and criticisms as coming through the teacher. I do not think it is the substitution of a different set of books, though that has had some effect; but I think the principal effect has been produced by these books as filtered through the minds of the tutors; they being in many cases private tutors.

876. Of course, therefore, if the existence of tests has any effect at all, and I imagine you would hold that it has had an effect upon the whole in Oxford, those tests would have a much greater effect upon such personal influences than they would upon a material system which was not subject to them?

I think the removal of tests would increase that influence very much in the direction which it has partly taken of late, and which I, in common with the last witness, very much regret. I think there is this distinction, that so long as a man has taken certain tests, if his teaching takes a form distinctly opposed to the doctrines in which he has professed his belief, he has thereby placed himself in a false position; he is acting not in accordance with, but in distinct antagonism to, the University system; and the very fact of his being in that position tends to diminish his moral influence. But as soon as an Act passes which takes away all obligation to hold any religious belief, the whole system of such teaching is legalised; it is not then in spite of the University system, but a distinct consequence of the University system.

877. And of course you are of opinion that many of those who are in a teaching position at the University are quite conscious of those influences or those restraints upon their own minds?

Many, I think, are.

878. Therefore, the general influence is modified and counteracted in your view by the existence of such tests?

I think it is.

879. I presume also that you would agree with the last witness in thinking that this is particularly the parents' question rather than the young men's question?

Very much so; and I do not think the opinion of the parents of the country has as yet been fairly ascertained upon the question; it has been made a University cry; it has been made to a certain extent a political cry; but I do not think it has been fairly tried as a domestic question.

880. Do you think that we have a conclusive proof that the majority of the residents and the non-residents are in favour of the abolition of these tests?

As far as any positive evidence goes, it is rather to the contrary; I have had a little evidence on that point within the last two years. Towards the end of 1869, a memorial was presented, I think to Mr. Gladstone, praying for the abolition of all tests; I have not a copy of that memorial by me, but I believe it was signed by between 80 and 90 residents.

881. *Earl of Harrowby.*] They were Masters of Arts, I suppose?

I do not think the whole of them were Masters of Arts; I think some of them were Bachelors, but I am not quite certain about that; there were a few non-residents; I think the whole number, including residents and non-residents, was 91, and about half-a-dozen of those were non-residents; I only speak from recollection, not having the paper before me; I do not think it is published separately, it was published in some of the newspapers at the time, but I have never seen it in a separate form; that calculation will give you perhaps 84 or 85 residents who signed that memorial.

882. What is the whole number of residents?

 I suppose

Very Rev. *H. L. Mansel*, D.D. 28th Feb. 1871.

I suppose the whole number of residents, judging from the recollection of previous years (I have not examined quite the last list of congregation), might average about 260 or 270.

883. Does that include Bachelors?

No; that includes members of congregation, which would be all those who have taken the higher degrees, all resident members of convocation, in fact. But there is not only that negative evidence as to the opinions of those who did not sign, but there is also positive evidence on the other side. Very shortly after this memorial, of which I have spoken, in the month of February 1870, a declaration was signed by 138 residents (I have a copy of the declaration here), deprecating any enactment which should tend to separate education from religion, or to impair the connection of the colleges with the Church of England, in respect of their teaching, government, and worship. Subsequently, on the 23rd of May 1870, a petition was presented to the House of Commons, or at any rate it was drawn up to be presented to the House of Commons, against the Bill for abolishing tests, which was signed by non-resident members of the University of Oxford who were formerly resident and holding offices in the University or in a college. That was signed by, I think, 103 names. The two latter of these three papers which I mentioned, I have here. The first I have not got in a separate form. This is a copy of the second of the two papers I mentioned, which is dated February 1870:—

"The following Declaration was signed, and a copy of it transmitted to the Prime Minister in February last:

"Oxford, February 1870.

"We, the undersigned resident graduates of the University of Oxford, earnestly deprecate any legislative enactments which shall tend to separate education from religion, or fail to secure a Christian education for the youth of this country, in the Universities of Oxford and Cambridge. And we deprecate in particular any new enactments which shall destroy or impair that connection of the colleges in the said Universities with the Church of England, in respect of their teaching government and common worship, which recent Acts of Parliament have distinctly recognised and enforced."

That is signed entirely by resident graduates, and so far as I can see, by members of congregation, with the exception of one or two Bachelors of Arts. Their degrees are given. That memorial is signed by 138 names.

884. Earl of *Carnarvon*.] The inference which you would draw from this, I presume, would be that there has been, if not an actual growth of opinion in the University against the abolition of tests, at all events a strong development of feeling in opposition to it?

There has not been much growth. I doubt whether at any time the total abolitionists were in a majority in the University. That paper shows that at the date of it (only a year ago) the majority of the residents, though not perhaps in favour of retaining the present system of tests, were decidedly against the entire abolition of them. The second paper which I have is signed by non-residents, and is dated 23rd May 1870; it is as follows:—

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

"The humble Petition of the Undersigned Non-resident Members of the University of Oxford, formerly Resident and holding Office in the University, or their respective Colleges,

"Showeth,

"That a Bill has been introduced into your Honourable House, intituled 'A Bill to alter the Law respecting religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities respectively.'

"That in the judgment of your petitioners, the provisions of the Bill tend to separate education from religion in those Universities, and in their several halls and colleges; and that they are calculated more particularly to destroy, or seriously impair, that connection of the colleges and halls in Oxford and Cambridge with the Church of England, in respect of their teaching, government, and common worship, which has been hitherto recognised by Parliament, and which even recent Acts of the Legislature have been intended to uphold and secure.

"That your petitioners therefore earnestly pray your Honourable House that the Bill may not be permitted to pass into law."

That is signed by 103 names of persons non-resident at the time it was drawn up, but formerly resident and holding offices in the University or in a college.

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Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

There is a third paper, which perhaps may be worth mentioning, though it is of earlier date, as showing what was the opinion of members of the University scattered over the country at that time; it was drawn up in June 1863. At that time, the University in Convocation put its seal to a petition to the House of Commons against the Bill for abolishing the declaration of conformity as established in the Act of Uniformity. It is as follows:

"The humble Petition of the Chancellor, Master, and Scholars of the University of Oxford,

"Showeth,'

"THAT your Petitioners have learned with pain that a Bill has been introduced into your honourable House, enacting that no Fellow or Tutor of any college, hall or house of learning shall be required or enjoined to make or subscribe the declaration of conformity to the Liturgy of the Church of England contained in the Act of Uniformity. That the removal of the only test now by law required of tutors and fellows of colleges generally would render admissible to collegiate government and instruction persons of divergent religious creeds, or of no religious creed whatever. That the Universities are seminaries of the Church of England, and owe their greatness chiefly to their connection with the Church; and that the Church could not safely entrust her future clergy to persons who had given no security for their soundness in the faith. That the relations between Fellows of Colleges are very intimate, and that the harmony and confidence now subsisting must be destroyed by differences on the most important of all subjects; and that open antagonism in the religious belief of their teachers and governors must have a tendency to lead students to regard religious truth as a matter of indifference. Your petitioners therefore implore your honourable House not to pass into a law a Bill of which the effects would in their opinion be injurious to the highest interests of the University, the country, and the Church. And your petitioners will ever pray."

That Petition was sealed in Convocation on the 2nd of June 1863, and therefore, having only the common seal, the names of the residents who concurred in it do not appear. Afterwards that Petition was circulated among non-residents, and the following Declaration was added:—

"We non-resident members of Convocation of the University of Oxford, desire to express our concurrence in the prayer of the above Petition."

There is a very long list of names appended to that Declaration, which I have not counted exactly, but I think it may be put as certainly between 1,900 and 2,000 —perhaps about 1,940 or 1,950. I cannot say exactly what was the number of members of Convocation at that time, but that Declaration certainly represents more than half of them. Judging from the calendar of the previous year, the year 1862, which is the only one I have been able to obtain for the purpose of making the comparison, the total number of members of Convocation at that time, both resident and non-resident, was 3,847. The number of residents was, I think, 267, leaving 3,580 non-resident members of Convocation, and out of those 3,580 about 1,940 or 1,950 signed the paper.

885. These memorials or addresses are all very much founded, are they not, upon the assumption we are discussing just now, that this is, in the main, a question affecting the views of parents rather than of their sons who are sent to the University?

Partly. Those petitions which emanated from the resident members of the University, or from those who had been resident officers in the University, take up the question very much from an academical point of view; but I do not think the opinion of the parents throughout the country, as distinguished from those who are members of the University, has ever yet been fairly taken.

886. With reference to the evidence you have given, allow me to ask you this also; you would not regard this as a question of the teachers in the University so much as of the taught, would you; you would consider that the interests of those who were to be instructed would really take precedence of the interests of those who, even if there was some little inconvenience and hardship, would have to submit to that hardship in the discharge of their teaching duties?

Certainly. I think, considering the age at which young men come to the University, their liability at that age to some upgrowth of hasty opinions, their inability to form sound judgments at that time, and the influence that opinions then formed

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

formed may have upon their whole future lives, it is most important to secure such a body of young men from an influence which may have a tendency to unsettle their religious belief for the remainder of their lives.

887. There is no disinclination on the part of those who have generally acted with you in this matter, to exclude men who have taken good degrees, from honours and emoluments, and if they are excluded, it is an indirect consequence which all parties regret?

As far as honours are concerned, there is no exclusion at this moment. Any member of the University of Oxford may take the highest honours in any school; and he may take the Bachelor's degree. At Cambridge he may go a step further, and take the Master's degree as well as the Bachelor's, only he cannot become a member of the Senate without a further declaration that he is a *bonâ fide* member of the Church of England.

888. And you think that the suggestions you have made to the Committee to-day might work practically in the University, leaving the essential parts of the system, comparatively speaking, untouched, and yet involving by the tests, or the restrictions rather, which would be still imposed, either no hardship at all, or at all events the very minimum of conceivable hardship?

I think it would involve the minimum of hardship compatible with the proper working of the University as a place of education. To some extent, of course, the interests of individuals must be sacrificed to the interests of the community, but I think, for the benefit of the community, some such restrictions as those I have suggested are desirable. To show that I am not quite alone in my view upon this subject, I may perhaps be allowed to add, that the opinion of an old and very experienced member of the University, a man for whose judgment all who know him have a very great respect, I mean the Provost of Oriel, very much accords with the views I have just stated. I hold in my hand a pamphlet which he printed a short time ago, and there are one or two statements in it which may perhaps be worth reading. He says with regard to the proposed modifications of the Tests Bill, "Yet it is not pretended, nevertheless, that the existing systems are perfect, or that there must be no legislation on this subject, or that the University Acts of 1854 and 1856 might not be improved. By no means. I could point to more than one improvement much to be desired, and there are alterations which, if not altogether approved, yet may not be inadmissible. So long ago as 1864, the following propositions were in substance submitted to the then movers of the 'Tests Abolition (Oxford) Bill.' First, that for degrees other than degrees in Divinity, no religious tests should be required. Secondly, that members of Convocation should make a declaration of Church membership. Thirdly, that teachers should be subject to the clerical test." The clerical test is the test now required by the Clerical Subscription Act of 1865, but with the omission of the last clause, which is only applicable to the clergy. I think the Provost of Oriel states earlier in the pamphlet what he means by the clerical test.

889. You would be willing, however, to reduce that to a declaration of conformity?

Yes. The pamphlet continues: "Fourthly, that to individual professors, by special permission of the University, Convocation should be open without any test; Fifthly, that independent halls might be opened by persons not members of Convocation; and, Sixthly, that graduates also not members of Convocation should have the privilege of voting for members for the University." He goes on to say, "These propositions were recommended upon the ground that they left 'intact the great principle that the government of the University and the colleges should be so lodged in the Church of England as to give ample and adequate security for the religious instruction and discipline of the University.' They had been agreed upon, in fact, by Mr. Gladstone and Sir William Heathcote as modifications of the Bill to which there could be no reasonable objection; yet they were altogether rejected by its promoters. But if they were just and reasonable in 1864 in the judgment of such men as Sir William Heathcote and Mr. Gladstone, they are reasonable and just now. If there have been political changes within the last five years, there has been no change in Christianity or in human nature, or in the principles of religious education." A little later in the

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Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

same pamphlet he says that he proposes a somewhat further concession, as, perhaps, desirable, or at least admissible, under the present state of things. He says, "Those proposals (which I have just read) would, I think, have met the difficulty and solved the problem before us fairly, but they were not accepted; and I could be content to go somewhat further, and many persons now, I conceive, in both Universities would be content. First, That the Senate at Cambridge and Convocation at Oxford should be open, without the requirement of any religious declaration or securities." That goes a little further than what I have stated as my own opinion. "Secondly, that all degrees, except degrees in Divinity, should be equally open at Oxford as they already are at Cambridge. Thirdly, that for University professorships and offices not connected with instruction or examinations in religion and morals, nor endowed with canonries or ecclesiastical benefices, no religious tests should be required." That, again, does not quite agree with what I stated just now. I am of opinion that such a test as that suggested by Sir Roundell Palmer would be desirable. "Fourthly, but that religious securities should be required from persons, lay or clerical, employed in collegiate instruction or discipline, or in regulating the performance of or attendance upon Divine worship; and, finally—Fifthly, that the Liturgy of the Church of England, and no other, should be used in all existing college chapels; but not necessarily in private or independent halls, or in such colleges as may be freely established hereafter in both these Universities." That fifth observation touches upon a very important point which belongs to this Bill, namely, the sweeping away of the 13th section of the Act of Uniformity.

890. I was about to ask you whether, in your opinion, the repeal of that 13th section is a great blot upon the Bill as it now stands?

I think it is; and I think, perhaps, the indirect effects of the Bill are too little noticed, in consequence of there being simply a number of titles of Acts enumerated in a Schedule at the end of the Bill, with no direct information as to their contents.

891. Can you point out to the Committee what the result from your point of view would be of the sweeping away of that 13th section?

The 13th section (or the 17th section, as it is in some editions; it is the 13th in the Schedule appended to this Bill) enacts that "no form or order of common prayers, administration of sacraments, rites or ceremonies shall be openly used in any church, chapel, or other public place, of or in any college or hall in either of the Universities," other than what is prescribed in the book of Common Prayer. That is the important point. Then there is another point as to the declaration to be made by heads of colleges and halls. The effect of repealing that would be to abolish the only Parliamentary security, the only legal security for the maintenance of the worship of the Church of England, and to leave its maintenance entirely dependent upon college or University securities, such securities as might be abrogated from time to time by the University or by any college. It also acts injuriously by omitting the words "no other." The present section of the Act of Uniformity says that no form of prayer shall be used other than that which is prescribed in the book of Common Prayer. Now, there is nothing, as far as I can see in this Act, as soon as that clause is repealed, to prevent a college from establishing, simply by its own authority and without consulting any other power whatever, any other form of worship alongside of that of the Church of England in its chapel.

892. Or even in substitution of the service of the Church of England?

Substitution requires one further step, but one only. It would be competent, I think, to the authorities of a college alone, if a majority of them were Roman Catholics, for instance, to establish a Roman Catholic service in the college chapel, though they could not, simply by their own authority, abolish the Church of England service. But with a little assistance they could go further; and possibly, (though that is a doubtful point in law, I believe) with the consent of the Queen in Council, and by a bare majority of the governing body of the college, they could abrogate the Church of England worship as now existing in the college, which would complete the transformation. They could institute another form of worship as it is, and I think they could very possibly, by a majority of the college, solely with the consent of the Queen in Council, abolish the Church

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

of England worship. I say "possibly," because there seems to be a little doubt as to the legal powers of colleges under the Act. In the 40th clause of the Oxford University Act of 1854, it is enacted that "every statute made by the commissioners in pursuance of the provisions of this Act, and likewise all provisions hereinbefore contained respecting the election of the hebdomadal council," and so on (this is the pith of the clause), "shall be subject to repeal and alteration by Her Majesty in Council." That is the clause as it stands in the Act. But in the special ordinances enacted by the commissioners for the different colleges, they have, I think, in all cases, certainly in the majority, added two new conditions; first, that such changes shall not be made except by the votes of at least two-thirds of the members of the college present—that is to say, the head and fellows of the college present; and secondly, that the consent of the visitor shall be required, as well as that of the Queen in Council. But it has been disputed whether the commissioners had the power, the Act of Parliament being more general, to add on these two conditions. I believe it has never been decided, though I know it has been very warmly disputed, whether these two conditions are within the powers conferred by the Act of Parliament or not. It is very possible, therefore, according as the lawyers may decide that question, that it may be in the power of a bare majority of a college to alter any of their statutes with the consent of the Queen in Council alone, without that of the visitor.

893. Even to the exclusion of the Church of England service?

I can see nothing to prevent it. The present ordinances of the college enact that provision shall be made for the maintenance of the service of the Church of England. I believe that that is required by the ordinances of every separate college; and it is also enacted in most, if not in all, that any head or fellow of a college contumaciously refusing to conform to the liturgy, shall be deprived of his fellowship. The latter requirement of course is virtually abrogated by this Bill, if it passes; the former might, I think, be abrogated under the power given to the college, with the consent of the Queen in Council, to alter any statute enacted by the commissioners.

894. A suggestion was thrown out by the last witness, to the effect that he conceived that it might be desirable that a proviso should be introduced into this Bill, making it obligatory upon the governing body in each college to provide, as I understood, service in accordance with the Church of England forms of worship within that college; whether that was to be to the exclusion of all other forms, or whether it was to be over and above any other form of worship, I did not quite understand; but would your view correspond with that?

I think such a clause imported into the Bill would be of very great value, as giving, as the last witness said, a positively religious tone to the Bill, instead of mere negative concessions; but I do not think it would be complete unless the repeal of the 13th clause of the Act of Uniformity were omitted from the Schedule of this Bill.

895. Lord *Colchester*.] You filled the office of Waynflete Professor of Moral Philosophy till the year 1864, I think?

Until 1866.

896. You, of course, had the best means of knowing about those men who were reading for the philosophy school?

Not entirely. Most of those who were reading for high honours in the philosophy school, or rather in the school of *literæ humaniores* of which philosophy forms a portion, attended my lectures, and some of them would ask me questions out of lecture; and I also used to give a more private course of lectures of a much more familiar and colloquial kind, like a private tutor's, which was attended by a few. But many of those who were going into the philosophy school contented themselves with coming and listening to the lectures without saying anything of their own, and therefore it was only in a few cases that I had any opportunity of judging of the personal opinions or attainments of my pupils.

897. Should you say that the changes you referred to, and which you regretted had taken place mainly in the last three or four years?

I think

I think they were going on during the time I was there. In my own lectures I did all I could to counteract them. I made very often a point of dwelling upon what I thought the errors of some of the sceptical works which were likely to come into the hands of the young men.

898. From your knowledge of the school at that time, should you confirm the statement that it almost invariably led to a loosening of all beliefs for a time, followed afterwards by a process of reconstruction, which process, however, was not completed until after the time a man would be called upon to take the test?

No, I should not say that that was generally the effect, although it might have been the effect in some instances. Of couse each witness will speak from the sphere of his own individual knowledge. I cannot say that I know very directly, but I have heard of instances of that kind. Most of those of whom I can speak from personal knowledge, I think were not so affected, but I think that the change in the statutes for the *literæ humaniores* school, so far as philosophy was concerned, which had gone on very gradually, had produced that effect in some degree in this way, that modern authors are very much more read now in proportion, I believe, than ancient authors. Formerly, when I first remember the University, and for some years after I took my own degree, the practice was that the examination was mainly, as far as philosophy was concerned, in ancient authors, such as Plato and Aristotle, with only illustrations from modern writers. I think the tendency of late years has been to make the modern writers in a great measure the substance of the examination instead of a mere embellishment of it. That has led men into a line of reading which I think is very undesirable, and into modern controversy upon disputed questions, and in some instances into the study of modern writers whose works, though works of great ability and merit, are dangerous if read without a competent guide.

899. Having had the best means of information at that time, you would consider it a great exaggeration to say that it was "quite impossible for any man to throw himself into the system of education for the final classical school at Oxford at the present time; I mean not only to study it *ab extra*, but really to throw himself into the system, without having every belief in his mind loosened for the time. I think the agencies which are brought to bear upon him, the philosophical ideas and modes of criticism, not only destroy but ultimately reconstruct his belief"?

I do not think there is any tendency to reconstruction. That may come in other ways, but I do not believe that the tendencies so produced will help towards reconstruction by themselves. No doubt they may be counteracted by other tendencies, and other influences may be brought to bear in after years which may produce a reconstruction of belief; but I have no great faith in a course of unbelief in itself leading to belief. I think the statement is so far exaggerated that very much depends upon the personal influences to which a young man is subjected. I can quite believe that in the hands of some tutors the course of reading for the final schools might have that effect, but in the hands of others it would not.

900. Therefore, the more wide the course of reading upon this subject which is encouraged at Oxford, the more important you would think it to be to have some religious check upon the lecturers?

Certainly.

901. I think you stated that you would require from a lecturer in a college a statement that he would teach nothing contrary to religion?

I think I stated that directly with regard to professors in the University; I believe a statement of that sort would be valuable with regard to college teachers, but it would be hardly sufficient; I certainly think that for those who hold an important office in the colleges you want a more distinctly Church test, because their position, as I said before, is so much more of a personal and domestic character than that of a mere lecturer to his audience.

902. I forget whether the test at present takes the form of a declaration, and also I should like to ask as to the proposed test for a member of convocation;

Very Rev. *H. L Mansel*, D.D.

28th Feb. 1871.

is it a declaration or an oath that he should not act in any way hostile to the Church of England, or what is it?

Under the system at present it is not a declaration, it is only a prohibition in the Statute; it is enacted by Statute that no teacher shall teach anything which is repugnant either to good morals or the Catholic faith.

903. What is the declaration made on taking the M. A. degree?

At present the declaration is a subscription to the Thirty-nine Articles.

904. And you would propose, as the most practicable plan at present, to substitute for that a declaration that the Master would not use his power or influence so obtained to the injury of the Church of England?

That would be for a member of convocation.

905. A master of arts, being a resident at Oxford, becomes a member of convocation, and thereby one of the electors of the council, which is the governing body of the University, does he not?

By residing there he becomes a member of congregation, and congregation elects the council.

906. Lord *Rosebery*.] You consider this a question in which the opinions of parents ought to be considered, rather than the opinions of the actual people who are now under education?

I think so; I think it affects both, but the parents especially.

907. How do you propose to get at the opinions of those parents?

I am afraid, in the very limited time which is allowed for legislation now, it would be impossible to do it, but I believe if a little time were given to circulate papers over the country, if any association could be formed, with a view of eliciting the opinion of parents, a large amount of opinion might be obtained which has not yet appeared, and which, I think, would have a somewhat different character from that which has been most commonly put forward recently; but it would take time to do that, and I fear the necessities of legislation would render it very difficult to obtain that time.

908. That opinion has not been strong enough yet to assert itself spontaneously?

I do not think opinion all over the country does assert itself spontaneously; it asserts itself no doubt both by cliques and parties, and at a general election, but upon a domestic and family question I do not think it will assert itself unless means are adopted to bring it out, and such means have not, so far as I am aware, been much adopted hitherto.

909. Therefore you will understand that the Committee are rather obliged to attend to the opinion which has asserted itself?

That is so to some extent, no doubt.

910. Earl of *Harrowby*.] You are aware of the strong feeling which was elicited in the course of last year upon the Elementary Education Bill, on the part of persons of almost every class, in favour of retaining a religious character for the elementary education of the poor?

Yes.

911. Do you incline to believe that there is no inconsiderable indication of a similar opinion which probably exists in the classes above them, in reference to the education of young men as well as with regard to the education of children?

Yes.

912. The extent of that feeling was hardly appreciated until the occasion called it forth in the case of elementary education?

Just so.

913. Legislation was urged upon Parliament upon the supposition of an entirely different state of things?

Yes.

914. But when the question was actually put to the test there was a most undisguised expression of opinion on the part of the public, which was continued

tinued subsequently in the election of School Boards in favour of a religious character being impressed upon education?

No doubt.

915. Is there any reason to doubt that that feeling is also the feeling of parents in the higher classes or the middle classes?

I have every reason to believe that if similar means were adopted to bring out the feelings of these classes, they would be manifested as strongly as they have been in reference to elementary schools, and in the same direction.

916. Do you not believe that if all that could be done under this Bill, as it now stands, were brought out into a distinct Bill by itself for the regulation of our colleges, it would create a reaction even among many parties who are now pressing for it?

I think very likely it might. I have a paper here which was printed a short time ago, stating very briefly what the effect of this Bill would be if it were to pass into law exactly as it now stands. I may say that this paper was drawn up in Cambridge, and that it is in some respects worded more with reference to Cambridge than to Oxford; but to a very great extent I believe it is applicable to both Universities.

917. What is the picture presented in it of what our colleges might be under the operation of this Bill?

It says, "The operation of the Bill will be to destroy the Christian character and teaching of the Universities and their colleges."

918. Can there be any question of that?

It states these four heads: "First: It will permit a person of any creed, Christian or otherwise, or of no creed at all, to teach publicly, as a college lecturer in Divinity, or as lecturer in the Greek Testament, or even in some cases as professor of Divinity or of Hebrew, his own creed, or negation of creed, or as head of a college, or as a tutor, to exercise parental superintendence and control over the undergraduates of his college. Secondly. It will permit persons of any or no religious belief to constitute a majority of the governing bodies of colleges. They will then be able to elect fellows, tutors, deans, and chaplains, control the education and religious worship, and present to college livings. Thirdly. By the repeal of Section 13 of the Act of Uniformity, it will enable the college authorities to allow or order the solemnization of any rites whatever in the college chapel, and the performance of any kind of religious worship therein, or to dispense with religious worship altogether. Fourthly. It will not only enable persons who are not members of the Church of England to hold fellowships which are now tenable by laymen, but it will also throw open to such persons any fellowships which are now restricted to members of the Established Church in Holy Orders, so soon as the governing bodies of the colleges think fit to alter their statutes for this purpose." I ought, perhaps, to observe in explanation of this paper, that it deals with not merely what the present Bill directly enacts, but with what it enables the Universities or the colleges to do. Some of the statements in this paper would not follow immediately from the legislation of the Bill itself, but they might follow from the powers which the Bill would give to the University or to colleges to make further legislation.

919. In fact there is no security against any one of those conditions which you have read being fulfilled if the Bill passes?

As far as I have examined this paper (the author of it has printed a second paper containing his proofs of these statements), the only point upon which I have any doubt as regards the University of Oxford, is with reference to the professorship of Hebrew. The professorship of Hebrew being annexed to a canonry at Christ Church must of course be held by a clergyman. The professorship of Hebrew at Cambridge, I believe, is also connected with a stall at Ely, but it is only by a recent enactment, passed within the reign of Her present Majesty, that the annexation has been made; and I presume that the author means that by the terms of that annexation, which I have not myself seen, it might be possible for a person to hold the professorship without holding the canonry. That is a point which would depend upon the legal wording of the annexation, whether it would be possible for a man to accept the professorship and decline

Very Rev. *H. L. Mansel*, D.D.

the canonry. Leaving that question open, I believe all the rest of this paper is substantially correct as regards both Universities.

28th Feb. 1871.

920. Under those circumstances you do not think that the Bill gives security for the fulfilment of the Preamble, which states that it is desirable that religious education should still be kept in view in the Universities?
I think not.

921. *Chairman.*] I think you said you had been a private tutor?
Yes.

922. Is it true that a private tutor has much more influence with the young men than a college tutor?
As a general rule I should think he has, because a private tutor lectures to individuals, and a college tutor lectures to classes. As far as my own experience of teaching goes, that which a tutor can make his pupil do for himself is more important than that which the tutor tells him as information. When you are teaching an individual you can always, by a course of questioning, elicit the state of his own mind, and thereby I think you may have a much greater influence and be of more service in teaching him than if you are lecturing to a large class. One thing which I always noticed in my own lectures was, that a young man would very seldom expose his own ignorance in the presence of half a dozen other men, but when alone with his tutor he would open his mind to him and tell him what he did and what he did not know and feel.

923. I suppose neither a private tutor nor a college tutor can be said to have much influence over young men on moral and religious questions during the lecture hour.
Something may come up frequently in a private tutor's lectures. Many young men will open their mind on anything that occurs to them, and although the lecture is not directly upon a moral or religious subject, it will often afford an opening for speaking of such subjects, and that opening is very often taken.

924. Has the tutor much power at other hours than the lecture hours, of influencing those under his charge upon these questions?
Very often he has. Much depends upon the character of the individual tutor. A tutor will very often see his pupils at various times in the day. They may be in his rooms to breakfast with him, and they may walk with him and be in his society in various ways besides the lecture hour. Of course his influence then is very great.

925. Would he have more influence than another resident fellow?
Not necessarily, but his being the tutor would bring them together.

926. It would be a species of introduction?
No doubt. Naturally a young man in the course of the lectures gets to know something of his tutor, and if there is anything in the tutor to attract the pupil he will be naturally the person to whom the pupil will have recourse in difficulties, simply because he knows more of him than he knows of a fellow who takes no part in tuition.

927. Supposing the tutor was anxious to influence young men either in a religious or in an anti-Christian sense, do you think he would try to operate mostly during the lecture hours, or at other times?
He would probably do both, but much would depend upon the character of his lectures. If he was delivering a lecture directly on theology or moral philosophy, he might take the opportunity of inculcating his own views, be they Christian or anti-Christian, in the course of his lecture, but as a general rule I think his influence would be exercised more indirectly than directly.

928. You would think therefore for that reason, that any provisions that merely restrained him in his public action, would not affect the largest part of his influence upon those under his care?
It would not.

929. What is your judgment of the relative efficiency of a test as compared with a penal and restrictive enactment?

I think

I think a test would be the more effective of the two. A penal enactment would very rarely be enforced except in very extreme cases. A test has a hold upon a man's honour which a penalty has not.

930. You think that the knowledge that the penalty was part of the legislation of the college, and part of the system under which he acted, would not operate upon the honourable feelings of most people?

In some cases if the penalty were not very severe, a man might consider the submission to the penalty as a permission to teach the doctrine, whatever it might be, but I think the great difficulty with regard to a penal enactment is that as I said just now, it can only be enforced in very extreme cases, and if it were attempted to enforce it in less extreme cases, it would probably lead to an outcry against it, which would ultimately in all probability abolish it.

931. Supposing a tutor with a penal enactment hanging over him was to attempt to teach in opposition to that enactment, would not the feeling of his class be, you are a law maker and a law breaker?

I think it would; but I think the same effect would be produced by the test alone without the penalty.

932. Assuming of course that the penalty was the least obnoxious form of precaution, I was trying to find out from you whether it was equally efficacious, though less obnoxious?

I do not think it would be equally efficacious.

933. But you would not set it down as having no efficacy at all?

No, I should not.

934. I suppose you would agree that it would be less obnoxious to the feelings of those who are crying out against tests?

In many cases I dare say it would; probably in the majority of cases.

935. Bishop of *Gloucester and Bristol.*] I think you have kindly covered the whole ground of our inquiry, but it has been suggested that a safeguard might be interposed by way of what we might conveniently call a conscience clause, namely, that it might be provided that a power should be given to parents or guardians to withdraw a son or any one entrusted to their care, from lectures of which they might not approve; do you think that any such safeguard as that could be introduced?

I do not think it would be very efficacious. The parent is not on the spot generally, and he has but little opportunity of judging of the character of many of the lectures which his son attends, and unless the particular teacher was a man whose opinions were very notorious, it would be very difficult for the parent to judge whether his son should be withdrawn from him or not.

936. I ought to make my question plainer by saying that it was on the assumption that the young man complained to his parent or guardian, and that the parent or guardian so complained to interposed?

I doubt whether a clause of that sort would have much effect; many young men would not complain. It would only be in rare instances, I think, that such a complaint would be made; and in many cases the complaint might arise from other motives than that of the dangerous character of the teaching.

937. It has been said that there are now arrangements by which colleges are grouped together, and that young men who might object to the lectures in one college are permitted to attend those in another; have you any knowledge whether that is a system which is likely to extend?

I can hardly say; the system did not exist to any extent, in fact it did not exist at all at the time I had any part in college tuition; it has grown up to some extent since, while I was still a resident at the University. It has partly arisen, I think, from the comparatively young men who are employed as teachers, and very often from the difficulty of finding a sufficient number of tutors on a particular subject in one college; very often the pupils of one or two colleges are grouped together under one tutor, and men of one college are sent to the tutor of another college, perhaps because they have not a tutor of their own on that subject.

 938. *Chairman.*]

Very Rev. *H. L. Mansel*, D.D.

28th Feb. 1871.

938. *Chairman.*] Will you hand in the Petitions and other papers to which you have referred?

I will. (*The same are handed in.*)

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Friday next, at Twelve o'clock.

Die Veneris, 3° *Martii*, 1871.

LORDS PRESENT:

The Duke of SOMERSET.	Earl of MORLEY.
The Marquess of SALISBURY.	Earl of KIMBERLEY.
Earl COWPER.	Lord COLCHESTER.
Earl STANHOPE.	Lord ROSEBERY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl of POWIS.	Lord HOUGHTON.
Earl of HARROWBY.	Lord HARTISMERE.

THE MOST NOBLE THE MARQUESS OF SALISBURY IN THE CHAIR.

The REVEREND WILLIAM HEPWORTH THOMPSON, D.D., is called in; and Examined, as follows:

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

939. *Chairman.*] You are the Master of Trinity College, Cambridge?
I am.

940. How many years have have you been so?
Since the year 1866.

941. But you were for a long time resident at Trinity before that?
Yes, for a long time.

942. As tutor?
As assistant tutor, as tutor, and afterwards as professor of Greek.

943. You are acquainted with this Bill?
Yes, I have read the Bill, and am acquainted with its provisions.

944. What is your opinion as to the operation of tests generally at Cambridge; in the first place, have they been in your opinion, efficient for the purposes which those who instituted them had in view?
The present test at Cambridge is a very mild one, as your Lordship is probably aware.

945. You mean the test for the Senate House?
Yes; it merely requires a declaration that the person who having the degree of Master of Arts, wishes to exercise his franchise in the Senate House, is a *bonâ fide* member of the Church of England. That is the only University test that is imposed upon a layman by the present statutes.

946. Have you ever heard of any one being repelled by that test?
Yes, many. So far the test has been effectual; but on the other hand, I think the test has been taken by many who may be members of the Church of England; but the words must be understood in a very broad sense, if they are considered so. For instance, it has been generally taken, as I have understood, by those who have been brought up as members of the Church of Scotland; I do not pledge myself to the accuracy of that statement; but my impression is, that such is the fact.

947. Then it has not had the effect of repelling those who only differ slightly from the Church of England?
I should not say that; I think it repels those (I do not wish to use invidious language, although it is difficult to avoid it) whose consciences are perhaps what persons of more robust mould would call morbid. I think some persons, who

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

are to all intents and purposes members of the Church of England, refuse it. For instance, I have known persons who have attended the ordinances of the Church of England, and even partaken of the Communion, refuse it. Therefore the test is, in one sense, ineffectual in both directions.

948. Do you think that those persons whom you refer to have refused to take the test, because they felt themselves not to be really members of the Church of England, and therefore could not honestly take the test, or because they felt that on account of their previous connections they would be reproached with meanness if they did so?

Possibly that motive may have operated in many cases. I think I know of one or two in which I should say it had operated, so far as one can judge of the motives of other men.

949. A man does not like to be thought to have abandoned a standard which he inherited?

Yes, that is felt.

950. What is your judgment as to the effect of the test in repelling those who of late years have become more numerous than they were formerly, who have no very distinct adhesion to any form of belief?

I never heard of a clear case of a person of that description being repelled by this test, though it may have happened.

951. Have you ever heard of cases of persons being admitted who were generally reputed to be of that tone of thought?

The opinions of men who are not yet Masters of Arts are not very well known among their elders. I think there have been such cases, judging from what I remember as an undergraduate, and from general probability.

952. What I wished to obtain from you was, whether you thought the test was more efficacious in repelling those who belonged to some definitely organised body separate from the Church of England than in repelling those who differed from the Church of England in belief, but yet had not associated themselves with any religious body apart from her?

I should be disposed to say yes to that question.

953. A much more stringent test is now imposed for fellowships, is it not?

That is as you take it. Every person, in order to hold a fellowship, is, by the Act of Uniformity, obliged to sign a declaration of conformity to the Liturgy of the Church of England. No definition has been given of those words.

954. Therefore you think it depends upon the quality of a man's mind or conscience with respect to what you just now called "morbid"?

I did not use that as my own word, but only as a word which might be used by persons who took a different view. I would rather use the words "unusually sensitive."

955. It rather depends upon what is conveyed by that word, however you describe it, whether the declaration operates as a stringent test or not?

Yes. I think that any person brought up a Dissenter, who had never openly renounced the faith of his fathers, would not be considered in public opinion to be justified in making that declaration. I do not know whether I make myself understood.

956. It is the effect upon public opinion which would mainly influence the takers of tests?

It would influence them in some degree, but it is not the only thing which would influence them, I think. It was held by Paley and others, as your Lordship will remember, that tests are to be construed in the sense of those who administer them, the "*animus impoventis*." I do not endorse that doctrine, but that was a prevalent opinion some time ago in bodies like the Universities.

957. That meant those who administer them at the present day?

I think that was Paley's meaning, but it is a long time since I read his Moral Philosophy, I confess.

958. Supposing a man who had taken the test to be seized with a desire to propagate among his pupils some form of belief or non-belief hostile to the Church of England, would he not, in addition to any conscientious scruples he might feel, be strongly restrained from doing so, by the sense that he might be looked upon as doing a dishonourable thing by those who heard him?

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

The case is a hypothetical one; I never heard of such an instance.

959. You never heard of an instance of a person who had taken the test, wishing to controvert any of the doctrines of the Church of England?

A person may have wished to do so, but I never heard of his doing it. If I understand your Lordship rightly, you mean any person distinctly impugning any of the doctrines of the Church of England in his capacity of a public lecturer, either in the college or the University.

960. That was the kind of case I referred to?

I never heard of such a case in Cambridge, and public opinion, I think, would frown upon such a proceeding.

961. Would public opinion be equally active if the test were removed?

I am unable to say.

962. You do not think that that public opinion takes its rise in any degree from the existence of the test, and that it is looked upon as an act of dishonesty, after having signed the test, to act inconsistently with it?

When our colleges were first founded there were no tests, and yet public opinion then operated pretty strongly.

963. There was something much more effective than tests at that time, was there not?

Yes. The question is one of those hypothetical ones which are extremely difficult to answer.

964. Do I understand you that the existence of persons in colleges wishing to teach doctrines strongly hostile to the Church of England is a purely hypothetical case within your experience?

If we are to interpret their wishes by their actions, I should say it is an hypothetical case. I have no doubt, if you ask me the question, that there are many persons who entertain opinions which the majority of our ecclesiastical authorities would pronounce to be contrary to the doctrines of the Church of England. I have no hesitation in saying that that is the case, both in the Universities and elsewhere; but I am not aware that anyone has so far forgotten his position as a teacher of youth as to introduce into his public teaching any attack, either direct or indirect, upon the doctrines of the Church of England. I know of no such instance in my experience; at all events, I do not at this moment remember one. I was not prepared for the question; but I cannot now tax my memory with any instance of that kind in Cambridge. If your Lordship alludes to published writings, that is another matter, about which I could not say so much.

965. Then if there is any need for restraining such teaching, the tests appear to do it perfectly, though you think it would be done with equal efficacy by a simple declaration that the teaching of religion was obligatory upon college authorities; do you believe that things would remain much as they are now if the tests were removed in that case?

I do not know. I cannot say either that things would remain as they are, or that they would not.

966. Do you know at all what is the prevalent feeling among those engaged in education in Trinity College; do they think that such legislation would alter this existing state of things or not?

A great majority of those now occupied in lecturing in Trinity College are in favour of the Bill which is now before this House. In all such cases, as your Lordship will know better than I do, you have to make a choice of evils. All legislative change implies, to my mind, a choice of evils, or, if you like, a choice between opposite goods. I think the general opinion in my own college is that the good preponderates.

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

967. What is the advantage that you anticipate from the removal of tests?
The greater security of our institutions for one thing.

968. Do you mean political institutions?
No; the greater security of our academical institutions. I should expect something worse to befall us if we maintained the present barriers.

969. What would you expect?
Your Lordship knows the history of the Sibylline books.

970. I wish to know in what form the burning of the last book is to take place?
It is not for me to foretell. "*Davus sum non Œdipus.*" I cannot read the riddle of the future.

971. As you said that the circumstance which, in spite of some apparent evils, reconciled the majority of the teachers in Trinity College to the removal of tests, was the maintenance of our academical institutions. I wanted to know which of them was threatened?
We are the possessors of very large property, to begin with.

972. To whom might that be given, do you think?
I should leave a question of that kind to the House of Commons; probably they would find recipients for it.

973. You are of opinion that, if the Universities accept this abolition of tests, their property will be more secure than it is now?
Pro tanto, I think it will. I think a larger number of persons will be interested in the maintenance of our academical institutions, collegiate and otherwise.

974. You say that yourself do not see any evil from the abolition of tests, because you cannot penetrate the future; but you do admit that those about you at Cambridge do feel that there is an evil, inasmuch as they consider the advantage to be merely one which is established upon a balance?
I do not say that. I am only speaking for myself; and when I say that I think there is a balance of evils in all legislation, I may be mistaken; but it is only my opinion. I think there are many evils connected with the present system of tests which require removal.

975. Will you enumerate some of those which present themselves to your mind?
The exclusion of admirable candidates, for instance, for fellowships, whose teaching would be most valuable; and for professorships also. We have instances of that at present; but it is unnecessary to mention them. Such instances occur frequently, and will occur more frequently, and a general sense of injustice will be engendered in the public mind, which, sooner or later, must produce its effect. I think the arguments against a great many of what are called the reforms of the last 30 or 40 years have been very strong. Nevertheless, the fact that the institutions, which it was intended to reform, were, upon the face of them, unequal, or, what is commonly called, "unjust," was a sufficient reason for the several reforms. For instance, I think a great deal was to be said against the Reform Bill of 1832. A great deal was to be said in favour of the old system; and a great many inconveniencies, it may be argued, have resulted from the new one; yet I think no statesman will say that it would have been possible to maintain the old state of things until now. I think the analogy extends to all questions of a similar kind.

976. What presses most strongly upon your mind is not the expediency, but the necessity, of the change?
I have always been of opinion since the year 1834, when the subject was first mooted in Cambridge, that the *University* test ought to be abolished. I have come slowly to the opinion that it is not desirable to enforce a test upon fellows of colleges.

977. You would enforce no test, either mild or stringent?
I would enforce no test, in the ordinary sense of the word "test," either mild or stringent.

978. Nor would you do so upon any officer of a college?
If I imposed any test at all, it would be in the form of a direction to the electing body.

979. It would not be a test in the sense in which the word is commonly used, as some engagement taken by the man himself?
Certainly it would not.

980. Would you impose any kind of test upon the tutors?
That has never been done in Cambridge. I believe it is practised in Oxford, but it would be very unpopular in Cambridge, and I question whether it would be very efficacious. We have never heard of such a thing in Cambridge.

981. You do not think that religious teaching would be much affected either way by the presence or absence of such a test?
No doubt it would be affected by the presence of the test to a certain extent. For instance, if membership of the Church of England were required from a tutor, he would consider himself more under restraint, possibly (I do not say certainly that he would), than if he were not required to be a member of the Church of England. I ought to say that in Cambridge we hardly know what theological differences of opinion in the lecture room are. There is no such thing with us.

982. Controversy does not rage in Cambridge with the fury that it does at Oxford?
I am not aware that it has ever raged in the lecture rooms at Cambridge. There is of course nothing to prevent its raging in the press with any degree of violence.

983. You have never heard of a tutor at Cambridge trying to impress his own theological opinions upon his pupils?
I cannot say that. I remember instances, certainly, of tutors whose opinions were very marked, and who in private conversation could hardly have avoided, I will not say proselytising, that would be too invidious a word, but giving their pupils to understand that their opinions were very marked in a certain direction. That direction was what is commonly called the High Church direction. I think there have been cases of that kind, and possibly there may be now, though they are unknown to me. But I think there is comparatively little of that.

984. Public opinion does not sanction that kind of proselytising?
No, I think not.

985. In fact, you are of opinion that the action of the college authorities in reference to religious teaching altogether is not of a very marked kind?
The governing body of my own college has the power of deposing any lecturer or tutor from his office. I think that if any lecturer or tutor abused his position so far as to inculcate what we may call infidel opinions, for instance, to take a strong case, and that were brought under the notice of the master, the master would think it right to bring it before the governing body, and that would be a case which the governing body would probably deal with. How they would deal with it would depend upon the composition of the governing body of the college for the time being.

986. Lord *Houghton*.] The Bishop of St. David's was deposed by the master, I think?
He was not deposed; he was asked by the master to resign, and did so. There was no power of compulsion vested by the then statutes in the master, either singly, or, as I believe, in conjunction with the seniors.

987. *Chairman*.] The master has no independent authority in Trinity?
None whatever in Trinity, as regards the tutors. In other colleges I believe he has. As your Lordship is probably aware, there is a very large body of fellows at Trinity, and it would be impossible that a governing body consisting of 60 fellows could work well. Therefore the government of the college is vested in the master and eight out of those 60 fellows, who are called the seniors.

988. Then the influence of the head of the college upon the question of religious education is at Trinity College of a slender character?
His opinion may or may not have weight with the governing body; but he has only one vote among nine.

 989. He

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

989. He has no more actual power than that?
No. I will take a hypothetical case, and one which I hope will never occur. He could, of his own authority, bring an offending fellow before the governing body, under one of our statutes.

990. I understand you not to be averse to a direction to the electing body to be governed by religious considerations in their election of fellows?
If your Lordship will allow me to read one of our statutes, you will see that that exists already. "The intellectual qualifications of the candidates for fellowships, and their proficiency, shall be ascertained in such mode as the master and seniors shall determine, and the electors shall choose in each case that candidate whom they shall deem to be most fit to be a fellow of the college as a place of religion, learning, and education." These are not very definite words, but still it would not be true to say that we have no such direction at present, and that is what I meant when I said that I thought that if anything of the kind were attempted, it should take this form, that instead of a test, some direction to the governing body should be substituted, which they would be bound to follow. I do not give any opinion as to the expediency of it, but I merely say that that would be the way of doing such a thing as your Lordship seems to think desirable.

991. Have you any opinion as to the expediency of it?
It is difficult to answer a question of that kind, unless one sees the form which it is to take. If the form were put before me, I should be able to say whether I thought it would work well or not, or whether it was too strong, or the reverse.

992. Are you of opinion that any safeguard of that kind would be a desirable addition to the Bill, and that the Bill would work badly, or less well, without some such safeguard?
I should not myself object, if, instead of "religion," the words "Christian religion," or an equivalent, were inserted. I should, personally, have preferred that expression.

993. With respect to the form of the removal of tests, are you of opinion that the change from an optional to a compulsory removal of tests is a desirable one?
I am very strongly opposed to an optional one.

994. On account of the agitation it would produce?
Yes.

995. You would be sorry to have any question respecting the tenure of fellowships depending upon a religious point of view, agitated within the walls of the college?
I feel that very strongly indeed. It would be agitated within the walls of the college it is true, but it would also be agitated in London among non-resident fellows. These, in Trinity, are almost a majority.

996. Are the non-resident fellows a majority in your college?
Almost a majority.

997. Do you consider that a desirable state of things?
I stand in a relation to all the fellows, which makes me unwilling to answer a general question of that kind.

998. I did not mean to ask with respect to the people who constitute the majority, but I wished to know whether you thought it was desirable that a large proportion of those who in the last resort are the governing body of the college should reside away from it?
They are not so "in the last resort." They have the power to oblige the master to call a meeting of all the fellows of the college in order to alter any one or more of the statutes.

999. It is, however, both amongst the resident and the non-resident fellows, that you would deprecate any agitation arising from any optional test for a fellowship on religious questions?
Certainly, it would be a great difficulty to those in authority.

1000. And

1000. And it would, to some extent, impede the studies of the place, I suppose?
Certainly it would divert the attention of the younger men from the studies of the place. They are already too much disposed, I think, to mix in University politics and legislation. A good deal of time is spent at Cambridge already in academical legislation, which would be better employed in scientific or literary labour.

1001. You would deprecate upon the same ground any provision which gave to the senate a power of controlling the colleges in matters of religious teaching, would you not?
I am not quite sure that I know what that question points to.

1002. You would object to any power being given to the senate to interfere to control a college in which anti-religious teaching was permitted?
I think it would lead to a frightful uproar. We have a record of something similar to what your Lordship indicates in the case of Frend, which you may perhaps recollect.

1003. Earl of *Harrowby*.] Of Jesus College?
Yes. He was banished for publishing a pamphlet (which I never read), in which the doctrines of the Established Church were supposed to be impugned.

1004. Earl *Stanhope*.] In what year was that?
Not long before the beginning of the present century. It was in the time of Dr. Isaac Milner, of Queen's College, who flourished (as the phrase is) at the end of the last century and the beginning of this.

1005. Lord *Houghton*.] Are you of opinion that, looking back upon what has been the course of public opinion at Cambridge, it would have been generally advantageous for the interests of the University if this question of University tests had been settled some time ago?
I hold that opinion very strongly.

1006. Do you think that the long delay in this matter has generated a state of things which may become dangerous to the University?
I have already said that I think so, at least I intended that.

1007. Might not one effect of the passing of this measure be a diminution of any hostile feeling towards the Church of England, and towards religion in general which may exist at present in the University?
It would have produced that effect 10 years ago I have little doubt; but I perceive now a growing spirit of what I may call liberal intolerance in the University. I mean intolerance amongst liberals. I perceive a growing dislike to religious ordinances amongst other things, and I think that that feeling will increase the longer these tests are kept up.

1008. Earl *Stanhope*.] I wish to ask you some questions about the visitorial power at Cambridge; who is the visitor of your own college, and how was that visitor appointed?
The visitor of Trinity College is the Crown.

1009. Who makes the visitation on Her Majesty's behalf?
The Lord Chancellor.

1010. Are there periodical visitations, or are they only made when cause seems to arise for them?
Only when the visitor's interference is invoked.

1011. Have there been any instances within the last few years, or since you have known Cambridge, of the visitorial power being exercised in any striking manner?
There was one in which I was concerned myself, and one or two more also;

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

I am not quite sure about the latter, because I was not at the time an acting fellow, but only a nominal fellow of the college, and the question or questions did not concern me.

1012. Of what nature were those cases?
The first was a case which involved the tenure of my own fellowship; the question arose whether I could hold it as Greek Professor, or not.

1013. It was not a question involving any point of doctrine, then?
No; it was only a question of the distribution of revenues, in fact.

1014. Did the other case involve any point of doctrine?
Not in the smallest degree; it, or they, only related to the right of presentation to livings in certain cases.

1015. Could the statutes be altered in opposition to the visitor, or without consulting him?
Yes, with the consent of the Queen in Council.

1016. Does that arise from from the peculiar position of your college as having the Queen as your visitor; how would it be in the event of your having another person, not the Queen, for visitor; could the statutes then be altered in opposition to the view of the visitor, or without consulting him?
Yes, by the University Act.

1017. Is the Queen the visitor of any other college in Cambridge besides Trinity?
The Queen is the visitor of five other colleges.

1018. If then there be no special cause given, a long period of years might ensue without any act of visitorial power; is that so?
Yes, an indefinite period.

1019. Lord *Lyveden*.] You said you knew persons who had refused the test; were those persons recognised Dissenters, belonging to particular sects, or did they refuse it generally on account of their disinclination to take any test?
I think they were the children of Dissenters. If what is alluded to by your Lordship is the refusal of the test before the Master's degree, I really am not sure about that;. I dare say there are cases of the other kind. I think I remember one case of another description in which the test was refused upon general grounds; I do not know what the grounds were, but I am not aware that the person refusing was a Dissenter.

1020. Is it a usual thing for persons refusing to take the test to state the grounds of their objection?
To their friends they may. There is nobody to ask them.

1021. Did you ever hear of anybody refusing the test on the ground of his general disbelief in religion?
Not on that avowed ground, certainly. I remember the case of a person refusing to take what is called the Protestant declaration, which we exact of all fellows before they can be admitted. There was a recent instance of that, but I never heard, and never inquired into the reasons of that person for refusing.

1022. Are you of the opinion which has been expressed by very many witnesses before the Committee, that the danger to the University is more from persons who have no religious belief whatever, than from persons who have belief in particular Dissenting doctrines?
I do not think there would be any danger from persons who believe particular Dissenting doctrines, so long as they keep within the limits of Christianity.

1023. Your belief is, that it is more from avowed infidels that danger is to be apprehended?
I think there is not much danger from avowed infidels.

1024. Is not it the case, that such persons holding sceptical opinions, but being men of moral character, have constantly taken all the tests?
I think it very probable that that is the case.

1025. Then you think the tests are remarkably inefficient to preclude persons of that stamp from obtaining fellowships?
I think they have been inefficient; at the same time I believe that there are persons of sceptical views who are too conscientious to take the tests.

1026. When you say "too conscientious," you mean as a point of honour?
As a point of honour and duty.

1027. That dishonourable conduct would not be so marked in them as it would in persons who are recognised as Dissenters, and the feeling of honour would not be so binding upon them; a recognised Dissenter would be at once marked as a man who, notwithstanding his own opinions, had made a declaration to attain a certain object, whereas a man who had no belief would not be so marked; is not that so?
Infidels are very rare, that is to say, infidels who proclaim their disbelief are rare, and they are restrained by influences quite different and apart from tests, by the influence of public opinion, and so on, therefore the case seldom arises.

1028. Then those persons would take the test with less discredit, if there was any discredit, than the Dissenters, would they not?
They would, of course, because their opinions would not be flagrant or patent to the world.

1029. Earl *Cowper*.] Has the study of books maintaining doctrines contrary to the Christian religion been in any way encouraged at Cambridge, by any college or any authority?
No.

1030. And certainly in no public teaching are such doctrines taught in any way?
Certainly not.

1031. I think you said that public opinion exercised a restraining influence in preventing doctrines contrary to the Christian religion being taught, and that probably it would always do so?
Yes; probably it will always do so, unless a very great change takes place in the opinion of England upon such subjects.

1032. Then you do not think that public opinion would be less active if tests were abolished?
I see no reason to think public opinion would be less active.

1033. And you have no fear that orthodox religion would cease to be taught at Cambridge if tests were abolished?
Orthodox religion is taught now by persons who are clergymen; there is no special theological teaching in the University of Cambridge, except such as is given by persons in Holy Orders, of whom, as it is well known, very stringent tests are required; therefore the case has never arisen.

1034. I suppose in order to pass the examination, a knowledge of the Bible is necessary. Is there any examination in Divinity in the final schools?
The only examinations in Divinity which all students are required to pass are not of a dogmatic character at all, but are either in the evidences or in the exegesis of the New Testament. Every person must pass the "previous examination," as it is officially called, and then he has to pass an examination in the evidences of Christianity, and in one Gospel. That is all the examination of that kind that is binding upon all. That is all the religious knowledge which is required of all students. Those who go out in honours are never examined again in theology in any form, unless they wish to go into holy orders. That is the state of things at the University of Cambridge at present, and it has been so since my recollection of it. We have nothing analogous to the Oxford Divinity school.

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

1035. Then this Bill would make no alteration in that either one way or the other; it would remain the same, would it not?
I presume that it would.

1036. Earl of *Carnarvon.*] I know your experience of Cambridge has been of very long standing; have you traced any change in what we may call the general current of religious opinion in that time?
Since I have been in Cambridge there have been two great movements; one liberal, and the other reactionary.

1037. I spoke of religious opinion?
Yes, even in religion I might say that that is the case.

1038. You stated just now that controversy had not raged at Cambridge at all in the same degree as it had in the University of Oxford; has there been any change of opinion at all analogous to that which has existed at Oxford?
I suppose the same general causes which operate upon opinion in Oxford will operate upon opinion in Cambridge.

1039. Has there been any change in the books which are taken up for examinations which would affect religious opinions?
No; we have no such thing as what you call in Oxford taking up books; the books to be taken up are prescribed. The choice of books at Cambridge rests not with the student, but either with the authorities or the examiner.

1040. What I mean is this; are the text-books which were in use 20 years ago in use now in any of those departments which would affect the moral and religious teaching?
I do not think that any book has been disused since my time except Paley's "Moral Philosophy," which was thought not sufficiently orthodox in the ethical sense of the word.

1041. Earl of *Harrowby.*] Is Butler used still?
Yes, Butler is used; but it is not compulsory upon any student of the University in order to get a degree that he should read Butler. In our own college we have examinations in Butler, both in his "Sermons" and in his "Analogy."

1042. Earl *Stanhope.*] Did I rightly understand you to say that Paley was altogether disused?
Paley's Moral Philosophy is altogether disused. I rather regret that it is so, because no other equally lucid treatise has been substituted for it.

1043. Earl of *Carnarvon.*] With the exception of Paley, the text-books remain much the same as they were 20 years ago; has the criticism by the teachers upon those text-books materially altered within your recollection?
I suppose that a teacher who professed to prepare his pupils for our honour examinations in Moral Science would by no means confine himself to such books as Paley; he would take a much wider range; in fact the books prescribed for the student who wishes to take honours in what is called the Moral Science Tripos, are books both old and new, which come down to the present day, beginning, we will say, with Locke and Paley, and going on to Cousin, Kant, and the German, French, and English philosophers generally; the course of reading is pretty extensive.

1044. Does the reading cover most of the works of the comparatively modern German school of Philosophy?
Those of Kant, certainly, but I never heard of any Hegelian in Cambridge; nor have I heard of any Hegelian teaching.

1045. Are any of Fichte's writings read?
No, Fichte is rather obsolete even in Germany; I should think he is not read at Cambridge; I do not think he is on our list at all; I should think, perhaps, there may be half a dozen persons in the University who have read one treatise of Fichte or two, but his books are so unavailable for purposes of examination, that I cannot imagine their being put on the list.

1046. To refer to another point, I think you stated just now that the long delay which has occurred in bringing this question of tests to a settlement has, in your opinion, produced results dangerous to the University?

I think it has produced a feeling akin to exasperation.

1047. I was going to ask you to explain a little more fully to the Committee what these dangerous results were, and in what manner they showed themselves?

It is rather difficult to do that upon the spur of the moment.

1048. Were you speaking of results within the University or without the University?

I was speaking of the security of our institutions.

1049. The University institutions?

The University institutions.

1050. How are those shaken by any difference of opinion which prevails upon this subject?

Those who are excluded from the emoluments of the University are naturally, if they are to be excluded finally, disposed to take up a hostile attitude against the University.

1051. Are many excluded?

Yes.

1052. How many have you known in your personal experience numerically who have refused to take the tests?

I remember four very recent cases of persons, who, I do not say, have refused to take the test (there is only one instance of that kind), but who have declined to come into competition for emoluments which they cannot hold without taking a test, which amounts to about the same thing. Besides these four instances, I can remember seven or eight other cases of persons who would probably have obtained fellowships if they could have made the necessary subscription. Many others have been deterred from taking a degree.

1053. I do not wish to lay undue stress upon the question of numbers, but do these five or six cases represent all you can recollect within the course of your experience?

In all I remember 11 or 12. A good many men have gone away and said nothing about it. They simply did not come forward.

1054. Have you any fair reason for supposing that they have gone away in consequence of the tests?

Yes, I think so.

1055. You have personal grounds for knowing that?

Yes, I could say so. That is to say, they have not stood for a fellowship or scholarship when they otherwise could have done so.

1056. In consequence of the test?

Yes, in consequence of the test.

1057. Have they been many?

Not many in proportion to the entire number of candidates, but some of them were persons of importance, whose exclusion was, rightly or wrongly, considered misfortune in the college.

1058. With regard to the fellowships you mentioned just now, particularly the non-resident fellowships, I suppose your view of the nature of those fellowships would be that they were in the character of rewards for intellectual success and merit?

Yes, and they have an eleemosynary character. They are in the nature of a temporary provision for young men in entering upon a professional career, the scantiness of whose means might otherwise debar them from that career.

1059. I gather from that last answer that you would be in favour of keeping them always as temporary offices?

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

I think it would be a misfortune if the non-resident fellows not in orders could keep their fellowships as long as they chose to remain unmarried.

1060. Do you yourself see a difficulty or an anomaly in non-resident fellows drawing their emoluments from the college, and absenting themselves during the whole or almost the whole of the year?

It is a thing that no doubt requires explanation, but my last answer to a certain extent furnishes that explanation.

1061. Then do you think it is justified, simply upon the ground of their being temporary provisions to start a man in life?

I think it may be put in that way, and also as giving a certain interest in the maintenance of our institutions to persons not upon the spot, who perhaps may have some influence on public opinion through the press and otherwise.

1062. You feel, do you not, that there is an anomaly in gentlemen who are absent almost all the year through, taking a large part in the government of a college when important questions arise?

No doubt there is, and also an inconvenience.

1063. There is an inconvenience in a *deus ex machinâ* appearing suddenly upon the occasion of an emergency, and retiring afterwards?

Yes, it is felt to be so by residents, but that is only from the point of view of the residents.

1064. Lord *Hartismere.*] We were told the other day by an Oxford fellow that very few members of the University of Oxford refused to take the test, because they thought it of very little consequence whether they took it or not; in fact we were led to infer that they considered it a mere form of words; do you think that that feeling exists in Cambridge?

Yes, I should think it existed in Cambridge. The words are vague, as you will probably be aware; they are "I am a *bonâ fide* member of the Church of England."

1065. Do you think that that feeling existed to such a large extent as was described by the former witness, so that the test really has no effect?

I think the test would probably prevent a person of dissenting connections from becoming a member of the senate. I am speaking now of the University, not of the colleges.

1066. I do not think you quite understood my question; my question was whether you thought it was looked upon as merely a form of words, and was therefore of very little use at present; that it did not matter whether it was signed or not?

That particular test, if that is what your Lordship is alluding to, which is necessary in order to give a vote in the senate, I should think would probably be looked upon generally as little more than a form.

1067. Lord *Rosebery.*] We were told with regard to Oxford that Imperial legislation affected very much the tendency of academical legislation; is that your experience with regard to Cambridge?

I should be glad to have an instance before I answered a general question of that kind. I might misunderstand the bearing of it.

1068. The witness to whom I allude seemed to think that the hostile tendency of this Bill to religious observances generally at the University would have a tendency to make the academical senate abolish them altogether?

Your Lordship refers, I presume, to chapels and sermons, and so on.

1069. Yes, chapels and sermons, and Divinity lectures?

I cannot imagine that they would abolish the University sermons under any circumstances, still less the Divinity lectures. They have a definite purpose in the education of the clergy.

1070. You do not think that academical legislation is influenced much by Imperial legislation?

Yes,

Yes, I think academical feeling is, and in some degree academical legislation may be.

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

1071. The 4th clause in the Bill, as you are perhaps aware, says, that "Nothing in this Act shall interfere with or affect, any further or otherwise than is hereby expressly enacted, the system of religious instruction, worship, and discipline which now is or may hereafter be lawfully established in the said Universities respectively, or in the colleges thereof, or any of them, or the statutes and ordinances of the said Universities and colleges respectively, relating to such instruction, worship, and discipline;" is that considered at Cambridge to be a valuable clause, and likely to be effective?

It retains to the authorities the power which they possess at present, I think, except in the case mentioned in Clause No. 3: "Nor shall any person be compelled in any of the said Universities, or any such college as aforesaid, to attend the public worship of any church, sect, or denomination to which he does not belong." There is no such compulsion at present, I may remark, at Cambridge, at least not in my own college. Your Lordship asked me whether public opinion generally at Cambridge is influenced by Imperial legislation. I should say certainly it is; but it is influenced in two ways. Sometimes public opinion goes with the legislation, and sometimes it is roused to opposition. There is such a thing as a reactionary spirit which might be called forth by legislation which was too violent in one direction.

1072. Is attendance at chapel compulsory in Cambridge?

It is so with us at Trinity.

1073. Do you consider that a valuable safeguard for religious education, or for the religious character of the University?

No direct religious instruction is communicated except on Sunday. I think it is desirable that all the undergraduates should hear sermons, if you ask me that.

1074. I meant is attendance at the daily chapel on week days compulsory?

Attendance at the daily chapel is compulsory, but the compulsion is not very stringent.

1075. And is there a college Divinity lecture?

There are several lectures in what may be called Divinity, that is to say, there are lectures on the New Testament, lectures which are rather critical and exegetical than directly theological. I can hardly say that there is such a thing as a theological in the sense of a dogmatic lecture in my own college. There is no lecture given within the college that any person belonging to any Christian sect might not attend with a good conscience.

1076. So that you would not mind opening such a Divinity lectureship by a more general test than is at present administered?

Whether or not I would appoint a teacher who held certain views is another question.

1077. It would not very much matter whether the teacher did hold those views or not, if the lecture was not of a dogmatic character?

It so happens that what is called liberality in theological matters is, so far as I know, to be found only in the Church of England, and, perhaps, in one or two other denominations, and therefore in the interests of mere liberalism it would be desirable to have a clergyman of the Church of England delivering such lectures, if you have a clergyman at all; but sometimes laymen have given these lectures.

1078. Earl of *Morley*.] As to the effect upon the Church of England of the tests existing now in the Universities, do you think that they are a benefit or an injury to the Church of England at the Universities?

I have some difficulty in answering that question.

1079. What I meant was this; is it not rather regarded by a certain class of undergraduates, and graduates too, that these tests imposed in favour of the Church of England are more or less an obstruction to learning, and an obstruction to able men in getting on?

Yes.

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

1080. Does not that excite rather a feeling of hostility to the Church of England?
Yes, in some minds I think it does; I have observed symptoms of that of late.

1081. And also, do you not think that the casuistical way, so to speak, in which the tests are taken, has a bad effect upon the tone both of those who take them and of those who are excluded by them?
What effect it has upon the minds of individuals depends very much upon the public opinion prevalent at the time as to what is really implied by the test itself; most tests may be made to mean a great deal more than those who imposed them intended, or they may be made to mean a great deal less; they are very unsatisfactory things in general; they must be a snare to some consciences, put them as you will.

1082. Then you do not think that any future test, such as conformity with the Church of England, would obviate these difficulties?
That is the test in Cambridge for holding fellowships now.

1083. But it is not the test for the senate, I think, is it?
No; for the senate it is a declaration that "I am a *bonâ fide* member of the Church of England;" it amounts to the same thing, in practice.

1084. As far as the teaching body are concerned, I understand you to say that you think public opinion is sufficiently powerful to prevent any irreverent teaching, or any teaching that would lead to irreverence?
At present, I think it is.

1085. Do you think that the removal of tests would be likely to diminish that restraining influence of public opinion?
No, I should hope not.

1086. Lord *Colchester*.] I understand, from what you stated to the Chairman, that you are at present in favour of the abolition both of tests for admission to the University and of all tests required in colleges?
Yes, I am in favour of this Bill.

1087. Of this Bill as it stands?
I do not say that I should have drawn it up in quite the same words, but it is not possible that everyone's particular fancies could be met in a general measure; I should acquiesce in this Bill as, under the circumstances, perhaps the best that is to be had.

1088. You stated just now that you thought the machinery of tests an undesirable one for various reasons?
I did.

1089. Do you think that more or less inconvenience attaches to requiring any declaration of opinion from any person, whether at the Universities or elsewhere, on account of possible misconstruction either with reference to religious or other opinions?
I think if such declaration is to be a qualification for holding any place of emolument or influence, or holding any position which is otherwise unattainable, it certainly is not desirable, except in the case of a person who has to teach a definite creed; that is another matter.

1090. Then you would be in favour of retaining the test for the Divinity professorships, and for degrees in Divinity?
I should be in favour, certainly, of retaining a test for Divinity professorships but that it is hardly necessary, for the Divinity professors are all in Holy Orders; I cannot imagine a person being elected a Professor of Divinity who was not in Holy Orders.

1091. Is it required by positive statute that each of the Divinity professors should be in Holy Orders
I think in three cases out of the four it is; we have only four Divinity professorships; I do not know how it is with regard to the fourth.

1092. One

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

1092. One or two are elected by the senate or some other body, are they not?

They are all elected. The Lady Margaret professor is elected by the Bachelors of Divinity, who must be clergymen. The Regius professor must be a B.D. at least, and therefore a clergyman, and he is elected by the council of the senate. The Norrisian professor, who usually acts as professor of Dogmatic Theology, is elected by the heads of houses. The fourth professorship is of more recent date, and the professor need not be of any degree above that of M.A. He is appointed by a board, consisting of the Vice Chancellor, two heads, and three Divinity professors.

1093. You would attach considerable importance then to the fact that many teaching offices in the University must be held by clergymen; I think you stated that opinion with regard to other offices besides the Divinity professorships?

There are many offices (I do not know that there are many teaching offices) which must be held by clergymen. Many headships of houses must be held by clergymen.

1094. Do you not think that if the present Bill passes unmodified, its effect will be, sooner or later, that all these other safeguards will be swept away?

I cannot foretell how that may be; it is fair to say that there is a strong party in the House of Commons who wish to sweep them away. That is patent from the public journals.

1095. You would not agree with them?

No; I should very distinctly dissent from their views.

1096. Then we have no reason to suppose that the passing of this Bill would put an end to agitation of this kind, either within or without the University?

No, not entirely.

1097. You have referred to the power of deposing persons, tutors, and others, for their opinions; I suppose that would be swept away by this Bill?

They could still be deposed for indiscretion, I think.

1098. You consider that they might be deposed for general indiscretion, but not for any special theological reasons; not for their teaching being either of one character or another?

I think if a mathematician, who was called upon to lecture upon astronomy, took occasion to argue against the truths of natural theology, it would be a fair case for deposition.

1099. Is there any statutory power for so deposing him?

Yes, I think so; because, to take the lowest ground, he would be abusing his office and wasting the time of his pupils; that is to say, not employing the time of his pupils in the way he was paid for employing it, namely, in the study of astronomy.

1100. He would be removed by virtue of a discretionary power which might be applied to that purpose?

I think he might. It is a merely hypothetical case, and I hope it will never occur.

1101. You stated, I think, that there was a statute in your own college, and also in others, that the election of fellows should be regulated by their fitness for the office as a place of religion and learning?

Yes.

1102. Do you think that the effect of the passing of this Bill would be to lead persons to consider that that statute was no longer in force, so far as religion was concerned; I have heard that opinion expressed?

No doubt it would make a difference in the case of Dissenters. You would no longer make a man's dissent from the Church of England a ground for refusing him.

1103. I mean, would an elector feel justified in voting for or against a candidate on the ground of his personal disapproval of his religious opinions, and therefore of his fitness for a place of religion?

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

No inquiry was ever made into a man's religious opinions at our college at the time of election to a fellowship, at least in my memory.

1104. Supposing that under this Bill, persons of no religious opinion were qualified to offer themselves as candidates for fellowships, do you think that under that statute the fellows would be justified in being influenced in their votes by theological considerations?

I think most of them at any rate would feel justified in rejecting, say, a Hindu.

1105. Would they be justified in objecting to a person who they felt sure was a non-Christian, but who was practically not of any other religion?

Not unless they had some definite information to go upon.

1106. They would not be justified in regulating their votes by their own personal knowledge?

Every elector is supposed to vote for a fellow according to his conscience. We used to make an oath to that effect before the elections to fellowships, but that oath has now been abolished.

1107. His conscience would be influenced by the legislation, would it not?

His judgment would be influenced by the law of England, no doubt, and by the legislation in Parliament.

1108. You mean that he would consider legislation as *dispensing with* the obligation to consider fitness for the college as a place of religion?

No, I think not.

1109. Then might there not be vehement theological contests among fellows, who considered themselves justified in voting against a person whose religious opinions they thought dangerous to a college?

There might now be such cases.

1110. But might there not be still more warm contests if candidates of a still wider range of opinions offered themselves?

It is conceivable.

1111. But you do not think that the evil would be so great as in the case of optional tests, which you object to because you think they would cause great dissensions in a college?

No, I do not; because the deliberations of the electing body are private.

1112. You have a particular objection to the non-resident fellows in London who might, in case there were an optional test, agitate the question?

I have a high respect for the non-resident fellows in London, among whom are some of the ablest men we have; but what I meant to point out was, that the inconvenience of having non-resident fellows is, that things may be done as in the name of the college which the acting and responsible members of the college disapprove of.

1113. Do you consider that the management of academical legislation should be mainly, or almost entirely, in the hands of the older members of the University?

No, I think it should be mainly in the hands of the resident members, old and young.

1114. You expressed a strong objection to the test, on the ground that it would lead the younger members to take an undue interest in University legislation?

They already do that to a great extent.

1115. I understood you to object to a test on that ground?

No, that was not the drift of my remark at all. I should be glad if your Lordship would remind me of any expression I may have used, which seemed to convey that meaning.

1116. I have not the question before me, but I referred to what you said in answer to the question whether the tests should or should not be abolished optionally by the colleges?

That would produce great agitation certainly. In the larger colleges there would be very great difference of opinion, and the opinion which carried the day would very possibly not be the opinion of those who are held responsible by public opinion, namely, those who are resident; they would be, or might be, outnumbered by the non-resident fellows.

1117. Would you not think it a desirable thing that there should be some difference between different colleges in this matter; that some should be more denominational than others?

There might be practical convenience in that, but there would also be great practical inconveniences. It is possible (I do not think it is very likely) that some colleges would fall entirely into the hands of particular sects.

1118. Yo do not think that there would be any advantage while the public mind is so divided as to denominational or undenominational education, in having some colleges corresponding to the one system which is desired by some people, and other colleges corresponding to the other system desired by other people?

I think that would be very inconvenient.

1119. You would not make any difference between pre-Reformation and post-Reformation colleges?

No, we cannot recognise that distinction at Cambridge; we are bound entirely by our Statute Book, and nothing else; all our former statutes were abrogated when we got our new statutes; we are not bound by, and we cannot appeal to, any statutes formerly existing.

1120. And therefore you would object to the law making any such distinction by an alteration in this Bill?

Yes, I think so. If you went into the question of pre-Reformation and post-Reformation, it would open a very wide door of discussion.

1121. Therefore you think that, even if the opinion of the country is greatly divided, the system of the Universities should be uniform?

Yes; I admit the acuteness of the objection implied in the question, but I think, nevertheless, that the system of education at the Universities should be uniform.

1122. Then you have no particular alteration that you would advocate in this Bill?

No; I have said already that I am content with the Bill as it is.

1123. And you would be opposed to any modification of it?

Yes; I should be opposed to any modification of it, either in one direction or the other, upon the whole.

1124. Earl of *Kimberley*.] Do you attach any great practical value to the direction in our statutes, that, in the election of fellows, regard should be had to the University being a place of religious education?

The language used is, no doubt, somewhat indefinite.

1125. In practice, the words "religious education" would be interpreted by the fellows according to their own religious opinions, would they not?

The language is, "a place of religion, learning, and education."

1126. The word "religion" would always be interpreted by the fellows according to their own religious opinion, would it not?

Probably.

1127. So that if a large majority of the fellows were Christians, they would naturally regard the Christian religion as being that to which they should have regard; but if we can put so extreme a case, supposing the majority were Hindus, they would consider the Hindu religion as that to which they ought to have regard?

Yes, I suppose so.

1128. Such words would not be of much value, because they would depend for their application upon what might be the opinions of the fellows, which could not be regulated by statute?

Yes; the interpretation of the words must rest with each man's individual conscience.

Rev. *W. H. Thompson*, D.D.

3rd March 1871.

1129. That would be the case with any safeguard of that general kind which might be introduced into this Bill, containing any such direction as that which you have in your statutes—namely, that regard should be had to the University as being a place of religious education, or being a place of religion, it would practically be no safeguard at all?

It would not be an infallible security.

1130. Duke of *Somerset.*] From a Paper which you have given in, it appears that there are 60 fellows at Trinity?

There are, when the number is complete.

1131. And of those 60, all but those who hold college offices are obliged, within seven years, to take priests' orders; is that so?

That is so. They are obliged to take Holy Orders within seven years of completing their degree of Master of Arts.

1132. Practically, can you tell me what is the effect of that. Do they leave or do they take priests' orders generally?

I suppose the majority of those who are not in office in the college leave; at present the majority leave. All barristers, for instance, leave as a matter of course. We look to an annual supply of vacancies from barristers dropping their fellowships at the end of their seven years.

1133. Then so far the regulation as to taking orders acts favourably to making a change in the body of the fellows?

Yes.

1134. Would it be better not to have that regulation about taking orders, but to say at once that fellowships should be held only for a limited time?

There are many practical advantages in having a supply of fellows in orders. Some of our college offices can only be held by fellows in orders. We have a custom, which I think a valuable one, of having sermons preached in chapel. There ought always to be persons qualified to preach in chapel. And there are other reasons why it is desirable to have a few clerical fellows in reserve who are not perhaps actually engaged in teaching.

1135. Then you think it would be desirable to keep some of the fellowships in connection with the Church; is that so?

As at present advised, I am distinctly opposed to doing away with the obligation of taking orders at the end of seven years, or resigning. I think, the exceptions to the rule are sufficiently numerous, Any person who holds, we will say, any one of about a score of offices in the college, is not obliged to take orders so long as he holds one of those offices. And if he holds that office for 10 years he may retain his fellowship for life without any obligation of the kind. I think that is quite sufficient, and almost more than sufficient, for the purpose intended.

1136. Then, in fact, the regulation about taking orders might be done away with in the case of the other fellows?

No, I think not. A great many of our lecturers at present in classics, mathematics, moral science, and physical science, are laymen. We cannot make any use of them in carrying on the religious discipline, or the religious instruction of the college, so far as that is carried on by way of chapels.

1137. There are only 18 of the fellows, I think, who hold college offices, are there?

There are certain University offices which also dispense their holders from the obligation of taking orders, and enable them to retain their fellowships without doing so. I think I am not over the mark when I say that there are about 20 such cases possible in my own college. There are 12 assistant tutors and three principal tutors (that makes 15); and besides these, the two bursars are exempt, and so is the registrary, if a fellow of Trinity, and the librarian of the University; a so-called pro-elector is also exempt.

The Witness is directed to withdraw.

MR. CHARLES NEATE, is called in; and Examined, as follows: Mr. C. *Neate.*

3rd March 1871.

1138. *Chairman.*] You have resided at Oxford, I believe, for a great number of years?

I have.

1139. And you are well acquainted with the object of this Bill?

I hope so; I have considered it a good deal.

1140. Perhaps it would be most convenient if you would give your opinions upon it, in such form as you think best, to the Committee, without my interpolating any questions, for the present at least?

No doubt your Lordship would greatly assist me by putting questions to me. As I am asked to give my opinion upon the Bill, I entirely agree with it so far as it repeals the tests as the condition of any lay degree or lay professorship in the University. I entirely agree with it so far as it repeals the provisions of the Act of Uniformity requiring subscription. I may say, as to that, that there is the less reason for maintaining that, because in practice it has been not very strictly observed. Although there is a very severe penalty attached to the neglect of that condition, the penalty being that you vacate *ipso facto* your fellowship or appointment; yet in spite of that severe penalty being denounced, the condition has not been very generally complied with. There is indeed less reason why it should be complied with now, than there will be after the passing of this Bill. For, until a very recent period, every student was bound by the law of the University to subscribe the Thirty-nine Articles upon taking his Bachelor's degree, and even upon matriculation; and therefore he might very well conceive that a declaration of his willingness to conform was a very unimportant matter, and involved, and more than involved, in the previous test which he had taken. As a fact, that condition, requiring a declaration, has not been complied with, and I venture to suggest to your Lordship, as Chancellor of the University, that it might be a very convenient thing that many distinguished members of the University who, I believe, are subject to the penalty for neglecting to comply with that condition, should be relieved from that penalty by a clause of indemnity when the clause requiring the declaration is repealed. So far, then, I agree entirely with the Bill; but when the Bill touches the rights which the Church of England possesses by law, independently of the Act of Uniformity, rights which are enforced by the same general law, which may be set in action for the protection of other endowments, I think that that raises the question how far the State is justified in interfering in any way (I do not say that the State is not justified, but merely that it raises the question) with denominational endowments, whether for the benefit of the Church of England, or of other denominations. I think that any change in that direction would also involve such important changes in the college statutes, as could only be properly made by a commission previously appointed with regard to those changes. Some considerable changes in the statutes of the University will be required by the passing of this Bill, I think. They could be dealt with subsequently; they are no sufficient reason, either for or against the passing of this Bill. They might be either left to the University to deal with, or they might be dealt with by a Commission appointed subsequently or concurrently with the passing of this Bill. The changes which I think would be required in the University to adapt its laws and statutes to the present alteration, refer chiefly to what is now the ecclesiastical character, and *quasi* privileges of the University. The University now possesses ecclesiastical privileges of a threefold description. The University has an ecclesiastical jurisdiction in matters of heresy; the University has immunity from the episcopal jurisdiction; the University also possesses the very remarkable privilege of licensing preachers to teach all over England, with or without the assent of the bishop, in whose diocese they choose to exercise that privilege. I am not aware that that power has ever been exercised by the University of Oxford, but it certainly was by the University of Cambridge, and it was exercised in a very important manner. You will find in Neale's History of the Puritans (and no doubt also in other writers), that the High Commission appointed by Queen Elizabeth, had considerable difficulty in dealing with the preachers which the University of Cambridge had licensed to go about and preach all over the kingdom, in opposition to the views of the High Commission.

Mr. *C. Neate.*

3rd March 1871.

I conceive it to be not impossible, though I think it is not very likely, that if the result of this Bill should be to place the University in any degree in conflict with episcopal views or episcopal authorities, the University might exercise that privilege if it should still be retained. But the most important privilege which the University possesses, and which is of great practical importance to it, is the immunity from episcopal jurisdiction. I think these privileges, whatever they are, belonged originally to the University as a *quasi* ecclesiastical body. I am well aware that in law, at any rate since the Reformation, the University is called a lay corporation; but inasmuch as before the Reformation the University exercised the right of being represented in the councils of the Church, we may consider that before that time the University was essentially an ecclesiastical corporation; and in fact a sort of function of the Church, and that whatever ecclesiastical privileges of that nature it enjoyed were conferred upon it in that character, and were continued to it in its new character, which was given to it in the Reformation, when its connection with the Church of England was established both by University legislation and by State legislation. I think, then, that a question arises how far these ecclesiastical privileges should be reconsidered after the passing of this Bill.

1141. You mean reconsidered for the purpose of abolition?

It might be so. I would abstain from giving any decided opinion upon that. I do not see why the Universities might not still retain the power of restraining its professors and members from openly teaching anything to the contrary to the essential doctrines of the Christian religion. I do not know any good reason why they should not retain that power. It is a jurisdiction which is exercised by the lay courts; in fact, I believe I am correct in saying that now the ecclesiastical courts have entirely lost their jurisdiction over laymen in matters of heresy; but there still is a power in the lay courts to punish laymen for the propagation of doctrines contrary to the Christian religion. Therefore, if lay courts have that power over laymen, I do not know why the Universities, as the most important corporations in the kingdom, might not still retain such power over their own members. I now come to the colleges.

1142. Before you go to the colleges, have you anything to say as to the powers of the Vice Chancellor?

It is in the Vice Chancellor that these powers of suppressing heretical doctrines, of which I have been speaking, are chiefly vested. They are all set forth together in the copy of the Oxford statutes, which is called the *Titulus suppletorius*. It may be a further question how far the Vice Chancellor, who, if this Bill passes, will not necessarily be a member of the Church of England, should retain that power.

1143. Should he retain the power of nominating select preachers?

That again is a very important matter. The proctors also have a share in the appointment of select preachers, and of course, as the proctors are occasionally laymen, the security that they shall be members of the Church of England is not very strong. With regard to the colleges more especially, I think that the commission should have to consider how far it must adopt the statutes of the colleges to the new state of things. There are many things in those statutes, which may appear to be inconsistent with such a measure as this, which will have to be weeded out in order to bring the statutes into harmony with the new legislation. I think that that can only be done by the same authority which has before reviewed and altered the statutes of the different colleges; that is to say, the authority of a Commission appointed by the Legislature, and whose decisions are subject to the approbation of the Legislature. I think not only will changes be required in some of the statutes of the different colleges, but it may be contended that the whole constitution and legal character of the colleges will be altered by this legislation. At present, colleges in their legal character are what is called eleemosynary corporations, and it is only in that character, consistently with the practice of the constitution, that they are entitled to administer and divide their revenues. It is true that in a great degree they lost their eleemosynary character by the legislation of 1854, which took away the necessity for poverty, or comparative poverty, as a condition for the election to fellowships and scholarships. I do not say that they entirely lost their eleemosynary character, because, as a matter of fact, the necessity of going through the severe study which is required from

from candidates for scholarships and fellowships, has very much the effect of excluding those whose means do not place them under the necessity, or, at least, under the same degree of necessity, to exert themselves; and therefore, in reality, in spite of the doing away with that express preference, the endowments of the colleges, are still chiefly for the benefit of the poorer class of gentlemen, or those bordering upon the condition of gentlemen. I do not say that the sons of rich men do not occasionally acquire fellowships, but still the system works practically for the benefit of the poorer gentry, and in that sense the colleges may still be considered eleemosynary. But even if they had lost that character, they might still claim the right of holding and enjoying their property as an endowment of the Church. That would be consistent with the law; they might be considered as analogous to deans and chapters; the constitution recognised such a beneficial interest in corporations connected with the Church. But when they have not only lost in a great degree their eleemosynary character, but have also lost their right to be protected as endowments of the Church, a position which they will at least in a great degree, lose by the passing of this Bill, a question will arise as to whether they will not become simply civil corporations, and in that way lose the quasi-proprietary characters which they now have. I do not mean to say that the members of a college might not still, under the control to which they would be subject as civil corporations, be entitled to pay themselves, or rather the officers who do the work with which they have been entrusted, or might supposed to be entrusted, by the State; but then every payment would be not on the ground of property, but in the nature of salary, and would require to be tested by those conditions which are applicable to the payment of all salaries, and that would involve not only a very great alteration in college duties, but a very great reduction in the number of fellows.

1144. You think that there are many more fellows now than are wanted for their work?

A question of this sort would arise. I will not speak of others, but of my own college. I think, if it was understood, that we were merely a civil corporation, doing work for the State, a question would arise upon our revenues, when our leases have run out; which they will soon do; and when we have paid off our debt, which will not be so very soon. Our revenues applicable to fellows and scholars will then be 14,000 *l.* or 15,000 *l.* a year; and I think the public will ask whether that is not a great deal too much for the work which we now do in educating 50 students. I think 15,000 *l.* a year for educating 50 students will appear to be a very unnecessary amount, I will not say of endowment, because we should have no longer the right to call it an endowment. But I think the promoters of this Bill have not sufficiently considered how far the carrying out of it to its full extent will alter the foundations. I do not put that entirely as an objection to the Bill; I think the endowments of the colleges ought to be reconsidered, and that a very large proportion of those funds should be applied out of Oxford. A considerable portion of them should be applied for the development of the University, but that would still leave a very large portion to be applied out of Oxford in assisting other endowments, especially the poorer endowed schools, which may seem to be in need of such assistance. It might also, I think, be employed to assist the foundation of a great University in the North. It appears to me, that all these are questions previous and preliminary to the dealing with the colleges, and that they can only be properly considered by a commission.

1145. Therefore, you are opposed, on all those grounds, to dealing with the colleges in a compulsory manner, without the previous appointment of a Commission?

Yes; I think another thing the Commission would have to consider would be, how far in dealing with the statutes, and with the property of the college, they might make some compensation to the Church of England for losing the benefit, which it would lose under the Bill, of the exclusive possession of those revenues. I think it would be a very fair question to raise, whether, out of the revenues of the colleges, some compensation should not be given to the church in the way of an annual payment to Queen Anne's bounty. One thing at any rate might be done. It is the practice of some colleges now to make life grants to the holders of small livings, reserving to themselves the power of discontinuing those grants; as those grants may be taken as an admission on the part of the

Mr. *C. Neate.*

3rd March 1871.

college that the livings ought to be increased, I think it would be very desirable before any such dealing as this Bill proposes with the college property takes place, that that which is now an allowance by the college should be secured in the way of a permanent endowment. I think also, that the Bill, if passed, involves the necessity of reconsidering the visitorial power, and not only the visitorial power, but the question of who shall be visitors. At present, with the exception of two or three colleges of Royal foundation, the visitor in every case is a bishop, or, in one case, that is the case of Worcester College, there are two bishops and the vice chancellor. In one case your Lordship, as Chancellor, is visitor; that is the case of Pembroke.

1146. Earl *Stanhope.*] Is the Queen the visitor of any college?
Yes, Her Majesty is the visitor of the colleges of Royal foundation.

1147. How many are there?
Christ Church, Oriel, and University Colleges. In what I am about to say I would beg to premise that this is entirely my own idea; I think that the altered character of the colleges will be inconsistent with the continuance of Episcopal visitation. If the visitation is to be real after this change, I do not think it should be in the hands of the bishops. I should suggest, taking Pembroke as a precedent, that in every case where the visitorial power is not in the Crown, it should be transferred to the Chancellor of the University, who has it already, as I have said, in the case of one college; I think that the difficulty we have to contend with now in Oxford is the excessive claims and the excessive power of the congregation. The congregation requires, in my opinion, to be a little restrained and controlled by the interposition of the superior power of convocation, which the Chancellor of the University more especially represents; and, to give my idea in general terms, I think you may give all these securities to the Church of England which the Church of England can properly require, and all the securities which will do her any good in the way of law, in an indirect manner, by increasing the power of convocation, acting through the Chancellor, over the management of the University; if the colleges are to be altered in this way, I should like to see the appointment of their heads no longer vested, as it is now, in the fellows: I think it might be properly vested in a Board, which would stand in much the same relation to the colleges as the trustees or governing body of a school stand to that school; that the Board should have much the same controlling power over the colleges as the trustees have over the school, and that the Board should be appointed partly by the Crown, partly by the Chancellor, and partly by the congregation; I would not have it a very large Board.

1148. *Chairman.*] The drift of your evidence would be to give a very much larger control to the University in the affairs of the colleges?
Yes; and especially to convocation, as distinguished from congregation.

1149. Earl of *Harrowby.*] Would you just explain what the difference is between convocation and congregation?
Congregation is composed of resident masters, who of course bear a very small proportion to the entire number of convocation. The resident masters comprise not only the tutors and the heads of colleges, and those who have anything to do with education, but they comprise all who reside at Oxford, including the parochial clergy, which is a very considerable body. There is a great desire among one section of the congregation, that is the educational section, to exclude from congregation all but those who have some share in the education. If the counterpoise could be given which I have suggested, of a greater power in convocation, I think it would be very reasonable to defer to that desire, and to confine congregation, as it was originally intended, I believe, by Mr. Gladstone, to those who are officially connected, either as teachers or otherwise, with the colleges and the University.

1150. You propose to strengthen the power of the resident body?
No, I do not wish to strengthen the power of the resident body; I rather wish to keep the resident body under control.

1151. Keep them in order?
Yes.

1152. *Chairman.*]

1152. *Chairman.*] You attach considerable importance to the consideration that after the alteration which would be brought about by the Bill, so small a body as that which governs many of the colleges should no longer have an unlimited power?

Yes.

1153. Are you not of opinion that this Bill, if passed in its present form, is likely, in the small colleges, to produce religious eccentricities?

No; I think the immediate practical effect of the Bill will not be very great. At present, although tests are very ineffectual, yet some restraint no doubt is produced upon an undue freedom of expression by the sense that everybody is supposed to be a member of the Church of England. That gives, of course, an advantage, no more perhaps than a fair advantage, to those who are really sincere members of the Church of England, over those who are less really so. I think the Bill might possibly have the effect of encouraging a much greater freedom than has been yet practised in the open expression of opinion upon subjects incidentally connected with religion, by lectures in the University.

1154. You do not think that there would be an attempt to set up small theological or philosophical schools of an extreme character lodging in particular colleges?

I have no reason to suppose that that would be so. I do not apprehend anything of the kind. To a certain extent no doubt the passing of the Bill would allay a sort of spirit of hostility and opposition which there is in some to the Church of England. Many people feel that the imposition of a test is a personal wrong which they are disposed to resent, and which leaves a soreness in their minds which they do resent. I think the immediate effect of the passing of this Bill would be to allay religious animosity, and rather to soften that sort of opposition to the Church which no doubt does exist in Oxford now.

1155. Beyond the greater control which you proposed to give to convocation, or to those who may derive their authority from convocation, is there any other security or safeguard which you think it would be prudent to enact with reference to religious teaching in the colleges?

I think that there should be religious teaching in every college. If the clerical fellowships remain and are not touched by the Bill, I do not think any other security would be required; but if that part of the law which confines a certain number of the fellowships to clergymen is to be done away with, I think it would be proper to supply the want of that law by requiring every college to appoint a chaplain fellow. I think it would be very right to require that that chaplain fellow should be on precisely the same footing as the other fellows as a part of the governing body of the college, and it should be his duty especially to see to the religious education of the college. I think, without requiring any clerical fellowships beyond the chaplain fellowship, or any tests, but still maintaining the obligation upon the colleges, which this Bill leaves untouched, of providing for religious worship as it is now done, every reasonable security, every security that could be useful to the Church, would be provided for. In considering this, we must remember that the only real security to the Church of England is the hold it may be able to retain upon the intelligence of the country.

1156. Do you not think that local spasmodic efforts hostile to the Church may take place in the University, which are in no way a reflection of what is taking place in the country at large?

Certainly, but I think the diminuition of the young and unattached fellows, which would be a necessary part of this scheme, would very greatly diminish that morbid and exceptional action.

1157. Do you think the morbid and exceptional tendencies find their place solely in the breasts of young and unattached fellows?

Mostly, I think.

1158. To what cause do you ascribe that phenomenon?

That is a very difficult question to answer; I ascribe it to a certain state of unsettled belief, and I ascribe that very much to what is going on all over the world; I ascribe it especially in Oxford to the undue encouragement which has been given to the study of metaphysics. I do not say whether it is right or wrong (the question is a very difficult one to answer), but as a matter of fact I have

Mr. C. Neate.

3rd March 1871.

have no doubt that the fact of some books which are used, and which are looked upon as great authorities in the philosophical teaching of Oxford having been written by persons who have notoriously no definite religious belief must exercise a very considerable effect upon the minds of undergraduates.

1159. You ascribe to the present state and tendencies of the philosophical school much of the unsettlement of belief which exists at Oxford?

Yes; and I ascribe that very much to the undue power which the residents have assumed. I think if the convocation had exercised a control over the direction of education, and had been sufficiently enlightened as to what was going on, they would have restricted these tendencies. Without of course imposing any positive restriction upon the reading or the teaching of any books, I think they would have rather encouraged classical and historical learning than have encouraged philosophical learning. The effect of recent alterations in the statutes has been to give the greatest distinction to philosophical learning. The great teachers of philosophy in Oxford are Mill and the German philosophers, and I think that that fact cannot but have had great influence upon the minds of undergraduates.

1160. Undergraduates who present themselves for high honours in the Final Classical School have no choice but to read those books, I suppose?

I am not sufficiently acquainted with the subject to be able to say, but as a matter of fact they do read them, and they appear to find it necessary to read them, or some of them; although when you looked at the statute book the scheme of examination would not suggest it as a necessity, yet, as a fact, those who aspire to high honours in what is called the Final Classical School, do find it necessary or expedient to read those books.

1161. Do you give great weight to those studies in the examinations for your college fellowships?

The younger fellows do give more weight to them than I should be disposed to do; I think they give more weight to them than to classical or historical studies; we give a certain weight to classical, but much less to historical, studies than is given to those. I think in several colleges a greater importance is attached to those papers which we call philosophical.

1162. And those necessitate the study of a large amount of German philosophy among other things?

I am hardly sufficiently acquainted with the subject to say that they necessitate it; I think they do; at least they make it desirable and convenient to those who wish to get honours and fellowships. I think the examinations are such as to give a considerable advantage to those who are best acquainted with modern philosophy as taught by Mill and by some German philosophers.

1163. Then if tests were removed, would you anticipate that any great impetus would be given to this movement by the influence which persons hostile to religious belief might acquire in the capacity of tutors?

It would depend partly upon what security was given for the appointment of tutors; by "security," I do not mean security in the way of tests, but in the way of selecting those upon whom the appointment would depend. If the heads of colleges were appointed by a Board of the kind that I have suggested, and if they appointed the tutors, I think that there would be no practical danger; in fact, I think there is very little danger to be apprehended from any tutor, either under the system as it is now, or as it would be; the danger is not from the regular college tutors.

1164. You think it is more from the private tutors?

I think it is more from the floating intellect which exists; the private tutors, the lecturers, and those who are staying up at Oxford.

1165. And that intellect would receive its tendency and scope from the tendency of the philosophical school to which you have referred?

Yes; but I do not apprehend any danger from actual teaching by the tutors as they are now, or by the tutors as they will be. I think the tutors generally, even if they did not entirely assent to every part of the Thirty-nine Articles, might be depended upon for being quite alive, and sincerely alive, to the importance of religious teaching.

1166. You

1166. You do not think they would be likely to borrow from any part of their reading in the philosophical school a disbelief in religious teaching altogether?

You mean a disbelief in that which religious teaching would recommend.

1167. And more than that, a disbelief in the utility or expediency of it?

I think there are some who would wish to have nothing to do with religious teaching, but they are, none of them, likely to teach anything inconsistent with religion. I think most tutors in Oxford now feel, and would continue to feel, sincerely, and as believing Christians, the importance of religious teaching. The tutor himself has not very much, as your Lordship knows, to do with religious teaching; there is not a great deal of it.

1168. But he has a good many opportunities of exercising an influence upon religious questions, and questions which border upon religion?

No doubt; but I do not think those opportunities are abused, or would be abused.

1169. The general drift of your evidence is, that you would look for any securities against the evil operation of this Bill rather to the introduction of the control of a power resting on the wider basis of convocation?

Your Lordship will excuse my saying that the phrase the "evil operation of the Bill" does not precisely express my opinion of this Bill; I consider that, upon the whole, this is a very beneficial Bill.

1170. I meant those evils which among its general workings it might have?

I would look to doing away with all tests, and substituting an indirect control.

1171. Have you any opinion as to the desirability of leaving the abolition of tests optional with the colleges?

Yes; I have an opinion against doing that.

1172. On what grounds?

In consequence of the questions that it would raise; I think it is time for the country to make up its mind upon that point. May I ask whether your Lordship refers to college tests?

1173. Merely to college tests?

I think it would be better that that should be dealt with by a Commission, and then the college would have an opportunity of being heard.

1174. I suppose in the same spirit you would deprecate its being left exclusively to the colleges to decide whether clerical fellowships should continue or not?

Yes; I would leave every alteration which this Bill would make necessary or expedient in college statutes, or any further alteration which may seem to be needed, to the consideration of a Parliamentary Commission, whose decision should be subject to the approval of the Legislature.

1175. I suppose the reason why you would do so is because you would deprecate the agitation which would result from the discussion of such a question in the colleges?

Yes, and also on account of the fact that you might have the same question decided in one way in one college, and in a different way in another, which I think would have an injurious effect.

1176. Lord *Colchester.*] I understood that there were two difficulties which you saw with reference to this Bill; one was the difficulty of the State dealing with denominational endowment; and the other was the difficulty of dealing with this question apart from any other question relating to the University connected with it?

The difficulty which I feel is, that it raises the question as to how far the State ought to respect denominational endowment, whether belonging to the University or to other bodies.

1177. Do you think that the abolition of all tests relative to college fellowships, without any compensation to the Church of England, would be a sort of

Mr. *C. Neate.*

3rd March 1871.

precedent for dealing similarly with any Roman Catholic or Dissenting college in the country?

Yes.

1178. You also said that you thought there was a great difficulty in separating this matter from questions arising out of the ecclesiastical character which has always adhered to the Universities?

Yes.

1179. Do you think there would be any difficulty in maintaining the elective character of the headships if you had the colleges so very much divided between fellows of different sects, that you would be likely to have contests amongst them?

I think the Bill raises the question whether there should be colleges at all. I think the ultimate and not very remote effect of this Bill must be to reduce the colleges to mere educational establishments, with a head appointed externally, approaching very much to the condition of halls, but retaining still a portion of their endowments.

1180. Do you not think that if this great change is desirable, it would be much better done by some measure, whether carried out by a Commission or otherwise, which might take into consideration the state of the University, and what other reforms were required in it?

I think it would be better done by a Commission. That was the drift of my evidence.

1181. Would it be fair to say that this Bill was open to much objection as a piece of not very thoroughly considered piecemeal legislation?

I should not call it piecemeal legislation, but I regret its ignoring the necessity, or at any rate the expediency, of appointing a Commission.

1182. You think it would be highly desirable that another University Commission should be appointed?

Yes, before any more is done than repealing the clause in the Act of Uniformity.

1183. With respect to the State dealing with denominational endowments, would not the objection you refer to apply still more strongly to past Reformation endowments than to the earlier ones?

I do not see much difference between the two. I think it may be assumed that whatever right the Church had before what is called the Reformation, to the collegiate or University endowments, belongs to the full extent to the Church of England, not only because that is the legal presumption which may be raised upon the general dealings of the State, but because, I think, as a matter of fact, assuming the Church of England to be an improvement in its present state upon what it was previously, and to be upon the whole the expressions of a more intelligent piety than it would have been if it had not been altered, we have a right to give the memories of our founders and benefactors before the Reformation the benefit of supposing that they would have been equally enlightened with those who came after them (I am not, I believe, saying anything disrespectful to any Peer), and that they would have shared in that general improvement of the piety and intellect of the country which has led to the modification of the Church as it existed before the time of Henry VIII.

1184. You do not think, for instance, that Pembroke, and Worcester and Jesus Colleges, are in any way more specially denominational foundations than University College or Balliol?

No; I think it would be a very dangerous doctrine to say that an endowment lost its denominational character on account of its antiquity. An endowment is a species of property, and I am sure it would be a very dangerous proposition to say that the longer an estate has been in a man's family the less right he has to enjoy it. Besides that, I may say that there are some purposes which may be supposed to wear out with time, and the recent University Act proceeded, I think, upon quite a right principle in setting aside the will of the founder, so far as it related to a continuing benefit to his next of kin, and so far as it related to a continuing benefit to particular places. But the question as regards the Church remains unchanged. If the founder was of the mind which you

suppose

suppose he was, he would still have the same attachment to the Church which he had when he gave the endowment, but he would be entirely indifferent about finding out his descendants to the tenth generation, and he would care very little for the place to which he had given a certain local benefit, for one reason, because it might be very different in the composition of its inhabitants from what it was in his time. But if he wished to endow the Church then, then he would wish to endow the Church now.

1185. Do you think any distinction could be drawn between the later colleges founded since the great religious divisions have existed, and any college founded for Roman Catholics or Dissenters either this year or a few years ago?

I think there would be a partial distinction. I think it would be a fair argument to say that with regard to colleges founded previous to the Reformation, some portion of the endowments might be diverted for other denominations. I think you certainly have a more assured knowledge of the will of a founder in the present year, if he has given a certain endowment to the Church of England as it at present exists, than if you presume the same intention from a gift to the Church 500 years ago.

1186. Earl of *Morley*.] I understood you to say, that you would wish, in the event of tests being abolished, to extend the influence of convocation, that is the influence of the non-resident over the resident body?

Yes.

1187. Do you think the action taken by convocation in later years has been such that you would wish to extend that influence?

I think, upon the whole, the action of convocation has been beneficial; I do not say that it has been so in every instance, but I am sure that the control of convocation, that is to say, the knowledge of a liability to be restrained by convocation, has had a beneficial effect.

1188. But would not the resident members be more likely to be fully acquainted with the wants and interests of the University than those who were non-resident?

They know more about it, but I do not know that they are likely to judge better. I think the congregation, as consisting of resident members of the University, is too much under the control of very young men, and though they are very often very clever men, and very competent teachers, I do not think that in the relations in which the University stands to the State, they are able to understand its proper use and functions so well as many older members of the University who do not reside in it would. I do not mean to say that what you may call the tumultuary action of the convocation, brought up by a whip or a canvas, has been beneficial, but I think that the permanent and regulated action of convocation, exercised through the Chancellor of the University by encouraging him to take a greater interest in the government of the University, by giving him a greater share in the patronage of the University, and through the appointment of the Board of which I have suggested the creation, would be most beneficial to the University.

1189. As to the teaching for the Final Schools, is it in any way affected by the tests at present, or would it be in any way affected by the abolition of the tests?

No, not that I can see.

1190. Earl *Stanhope*.] Do you find that in Oxford there is an increase in the reading of what may be called the writings of the Tübingen school?

I am not acquainted myself with the writings of that school at all. I am not a reader of philosophy much.

1191. My question did not relate so much to your own reading, but to how far works of what may be called a sceptical character have grown to be prevalent in Oxford?

I am really not able, except in a very general way, to say more than I have said in regard to the examinations.

1192. *Chairman*.] Is there anything else which you would wish to state to the Committee?

Mr. *C. Neate.*

3rd March 1871.

Yes; there was one point which I forgot to refer to as an instance of the way in which the preservation of denominationalism may be maintained without tests. There is a very remarkable case of the "Attorney General *v.* Shore," in which a question arose upon a charity founded by Lady Hewley. It is generally known as the case of Lady Hewley's Charities. The case was this: Lady Hewley founded certain preacherships, and also an almshouse, for the benefit of godly preachers and godly widows, and others. I will just read the marginal note of the case in the 11th volume of Simons' Reports. "At the date of the deed all religious sects tolerated by law believed in the Trinity, but in the course of time the estates became vested in trustees, of whom the majority, though called 'Presbyterians' (Lady Hewley was herself nominally a Presbyterian), were Unitarians, and one was a member of the Church of England, and they applied the rents for the benefit of Unitarians. At the hearing of an information filed against the trustees, the Court held that neither Unitarians nor members of the Church of England were entitled to administer, or participate in, the benefits of the charity, and ordered the trustees to be removed; and afterwards appointed members of three different sects of Trinitarian Dissenters in their place, some of whom were Independents, others Presbyterians in connection with the Established Church of Scotland, and the rest Presbyterians in connection with the Secession Church of that country." That case is one of great importance, as showing in what manner you may supply the want of a test in an indirect way, and also as showing the great desire of the Dissenters themselves to assert for their own benefit the principles of denominationalism.

1193. In that case the trustees elected each other, did they not?
Yes.

1194. And they did so without any restraint from any external law?
Except that restraint which was ultimately brought to bear upon them, the restraint of the Court of Chancery.

1195. But in the Oxford colleges it would not be possible, would it, for the fellows to import their own theological affinities into the consideration of the amount of favour to be given to the various candidates for fellowships?
I think it would.

1196. You think they would be justified in doing that under the new ordinances?
Yes. One more observation which I have to make upon the new Bill is, that it leaves very much in suspense the question as to how far colleges are bound to give a preference to members of the Church of England; it would be very desirable, I think, that the Bill should say either one way or the other that in elections to fellowships no preference should be given, if that is the meaning of the Bill, to members of the Established Church, or to those who are supposed to be members of the Established Church; or, on the other hand, if that course was thought desirable, it should say that a preference might be given to such persons. At present many colleges might openly avow, even after this Bill is passed, that they intend to give a preference to the members of the Established Church, and they might feel that in so doing they were only acting in deference to the general character of their statutes, which is left unaltered by this Bill; I believe that in many instances they would do so. The Bill leaves the matter very much in doubt as to how far fellows of colleges would still be bound by the spirit of their statutes to give a preference to candidates whom they had reason to believe to be members of the Church of England, or whom they had ascertained to be baptised members of the Church of England.

1197. Earl of *Harrowby.*] How could you prohibit them in the choice of tutors or fellows from being influenced in some degree by those considerations except by giving a positive title arising from examinations to the honours and emoluments attaching to a fellowship or a tutorship: how could you shut out the preferences arising from the religious character of the candidates?
I think a positive declaration to that effect by the Legislature would be generally respected, and those who took part in those elections would feel themselves bound by it.

1198. You would absolutely forbid by Act of Parliament a person who thought that

that the interests of his college were best promoted by choosing some person of a particular persuasion, from acting upon that principle?

I have not meant to say that; I say the Bill leaves that in uncertainty. I think that it is desirable that the Bill should either say you shall give no preference or you may give a preference. I rather incline to saying that it should allow a preference.

1199. You are aware that the preamble of the Bill recognises the Universities as places of education and religion; I forget the exact words?

Yes, it does; the words are, "Whereas it is expedient that the benefits of the Universities of Oxford, Cambridge, and Durham, and of the colleges and halls now subsisting therein, *as places of religion and learning*, should be rendered freely accessible to the nation."

1200. Under the words of that preamble would not a member of the governing body feel himself entitled to look at the religious character of a candidate as one of the elements of his choice?

Yes, but hardly at whether he was a member of the Church of England or not?

1201. How can you draw any Act which shall limit that discretion, unless it is by giving a positive title to any man who fulfils certain conditions with regard to examinations, and so on?

If your Lordship means by requiring the college to elect in every case the candidate who passed the best examination, that would exclude other considerations which colleges have been in the habit of entertaining, and which they have been empowered to entertain by previous Acts; that is to say, you have the power, which is still left untouched by this Bill, to elect the man whom after examination you think best qualified for the position of fellow of a college as a place of learning and education.

1202. But the leaning of your mind would be to remove all doubt whether that element should not still remain in the minds of the electors?

Yes, I think that the doubt should be removed, in whichever way it is removed.

1203. And you would rather that the electors should be at liberty distinctly to exercise their own discretion upon that point?

Yes.

1204. So that if there were any doubt with regard to any part of the Bill as to whether it repealed the provision existing in the statutes now as to its being a place of religion and education, you would be glad to have that doubt removed?

Yes.

1205. And you would prefer its being removed in favour of allowing that consideration?

Yes.

1206. You are aware of the great difference between a college which is a domestic establishment, and a sort of day-school, or a place where merely lectures are given?

Yes.

1207. And you are aware that that distinction has been fully recognised by the commissioners of endowed schools, by putting domestic establishments, as you may call them, upon a very different footing from those where there are merely lectures?

Yes.

1208. And you would allow those considerations still to weigh in such cases?

I would.

1209. In regard to the endowments, would you have no limit as to date, which should secure them from an alteration in their destination. You are aware that in the case of the Irish Church the date of 1661 was taken for that purpose?

Yes.

1210. Should you think it was right that an endowment made last year should be treated as if it had been made merely with a general view of promoting

Mr. C. Neate.

3rd March 1871.

education, and not with a view of promoting the specific education which the founder had prescribed as that which he intended to encourage?

As regards the family of the founder, of course there would be much greater injustice, because the founder postponed the interests of his family for the purposes contemplated by his endowment; and if these are set aside you feel that there is a manifest injustice done to the members of the donor's family, who would otherwise have had this property. But when the family is out of the question, I do not think there is any difference, and that you have any greater right to dispose of an endowment 500 years old than you have of one of 100 years old.

1211. You are more thoroughly acquainted with the state of mind in which the founder acted in the one case than in the other?

But assuming the principle of its being applicable to a permanent purpose, assuming that you have a right to believe that the founder would put the Church as it now exists in the place of the Church as it existed in his time, I do not think you have any greater right to modify the terms of that endowment than you have in the case of an endowment only 20 years old.

1212. Has not the principle of the Court of Chancery in interpreting foundations very often proceeded upon the view that although you could not carry out exactly the intention of the founder, you must come as near it as circumstances would permit?

Yes; but the Court of Chancery, as far as I know, has never supposed itself to be less bound to respect the main intention of the founder on account of the antiquity of the foundation. The details of the endowment, and the modes of its execution, are often modified by the Court of Chancery to suit the altered circumstances of the case, but I do not think the Court of Chancery has ever less respected the mind of the founder on account of his antiquity.

1213. You remember the case of the Mico Endowment, which was originally founded for the relief of captives in Barbary, and was converted to the benefit of the negro slaves in the West Indies; was not that a wide departure from the original purpose of the endowment?

I should hardly say so; it appears to me to have been a *bonâ fide* attempt to carry into effect the benevolent intentions of the founder or donor towards the negro race.

1214. The captives in Barbary had nothing to do with the negro race; they were Europeans who were picked up in the Mediterranean from Christian countries?

Yes; but so far as this, the negroes would have come within the scope of the founder's charity, as being subject to the misfortune of slavery, just in the same way as the captives in Barbary were subject to that misfortune.

1215. I gather that you would increase the power of Convocation, as representing more fairly the general feeling, one may say, of educated men, and conferring less power upon the little bodies of men, consisting of some eight or ten, that might prevail casually in particular colleges?

Or rather that might prevail in the University; that is what I meant.

1216. Your view is, that Convocation will better represent the general feeling of educated men who have been at the Universities, than the little clique or body of fellows and tutors who might happen to be in a particular college at any time?

I entirely assent to that, except with regard to the words "in a particular college." I meant in the University; Convocation is a University body entirely, and the influence which I thought might require a little control, is the influence of congregation over the legislation of the University.

1217. It was the influence of congregation, and not that of Convocation, which you wished to strengthen?

No, it is the influence of Convocation to restrain congregation which I desired. Congregation is the minor body, consisting of the residents; it is virtually only a committee of Convocation.

1218. Then

Mr. *C. Neate.*

3rd March 1871.

1218. Then, as I have put it, one ground for appealing to Convocation is, that you appeal to a wider constituency, in fact?
Yes.

1119. And a constituency less dependent upon the casual circumstances of the particular time?
Yes.

1220. And representing in some degree the parental feeling, which is of no slight importance?
Yes.

1221. You have spoken of the present system of tests as creating a great feeling of injustice; would that feeling be met by allowing fellowships to be the rewards of learning or excellence, but not of necessity conveying eligibility to the government of a college, or to the education in the college?
I think it would be imperfectly met. I think that so long as you have tests of any sort at Oxford, you will have a spirit of more or less open hostility to the Church, and you will only strengthen that hostility and give it greater effect by any attempt to maintain tests, unless you call this a test: you might take the fact of being baptised as a member of the Church as a test. It is the inquisitorial test that people resent as an offence.

1222. Do you think that there would be an injustice in withholding the control of education in a college from a man of intellectual superiority, whom those who are responsible for education might not think to be in every respect fitted for the purpose?
I would trust to the selection of tutors, and I would make the remedy by establishing a certain control over the selection of tutors who are now nominally appointed with the assent of the University; that is, with the assent of the Vice Chancellor. That assent is practically not asked for now, but I think that you might easily guard against the risk, which is not very great, of dangerous tutors being appointed, by making their appointments really subject to some approbation or confirmation.

1223. Do you not conceive that as long as the chapels exist, and the services are to be continued in those chapels, you ought to have some security that the college shall provide the proper materials for the purpose?
I have suggested that there should be, at any rate, a chaplain fellow who should be one of the governing body of the college.

1224. *Chairman.*] With regard to one of your answers, is it true that the members of congregation are to the extent of nearly half of them under 30 years of age?
I am not able to say. They are very young men.

1225. Is there any other point you wish to explain to the Committee?
No.

The Witness is directed to withdraw.

MR. NUMA EDWARD HARTOG is called in; and Examined, as follows:

Mr. *N. E. Hartog.*

1226. *Chairman.*] You were, I think, a Senior Wrangler?
I was, in 1869.

1227. And you proposed, did you not, to try for a fellowship at Trinity College, Cambridge?
I should certainly have done so if there had been no tests.

1228. You were prevented by the tests?
Exactly.

1229. Yours, I believe, is not a solitary case?
Mine is one of four which have occurred in the years 1860, 1861, 1869, and 1871 respectively, because the senior wrangler of this year has declared publicly that he will not try for a fellowship in consequence of the test.

Mr. *N. E. Hartog.*

3rd March 1871.

1230. Do you know to what religious bodies the senior wranglers of the other three years belonged?

The senior wrangler in 1860, I think, was a Presbyterian; the senior wrangler in 1861, a Baptist; I myself am a Jew; I do not know to what body the one of the present year belongs.

1231. Earl of *Harrowby.*] In what year was Mr. Aldis the senior wrangler? In 1861.

1232. *Chairman.*] Is there a considerable feeling upon the subject of these tests among the younger men of the University?

Yes, very great, and it has grown very much in favour of the abolition of the tests since I went to Cambridge in 1865. Perhaps the following fact may be worthy of your Lordships' consideration, as the debates of the Union are to some extent a test of the feeling of the undergraduates. In my first year the Union, in discussing the question of tests, determined to uphold them by a large majority. At the end of 1869 they carried a resolution in favour of abolishing tests.

1233. The Union is largely attended by undergraduates from all parts of the University, is it not?

It is; at an interesting debate there will sometimes be considerably over 100 voting, and sometimes as many as 200.

1234. To what extent does this anxiety for the abolition of tests go; is it wished to abolish all tests?

I think that, as far as I am able to speak of the feelings of undergraduates, it is; and the same may be said of the younger graduates.

1235. Is that on the ground of the hardship which it inflicts, or is supposed to inflict, upon those persons who, by reason of their religious belief, are not able to obtain particular honours or emoluments, or upon any wider ground?

I think, among the undergraduates, it is to a great extent from a sense of hardship; because the light in which the fellowship presents itself to an undergraduate, as a rule, is as a prize to be striven for by academical competition.

1236. Therefore they look upon it as a penalty upon a particular form of religious belief?

I think that would be the general feeling of the undergraduates who are opposed to tests?

1237. They do not enter upon the question of how far those prizes are combined with an office involving discretion and a trust with regard to the teaching and discipline of others?

I am speaking now, of course, simply from a general notion, but I do not think that, as a rule, undergraduates would look upon it in that light, but they would look simply, as I said before, upon the hardship there is in excluding, on account of religious opinions, men who have gained honours from the prizes awarded to others.

1238. So far as that feeling is concerned, of course, if the honours and emoluments were thrown freely open, their feelings upon that point would be satisfied to a great extent?

The feeling of which I spoke would certainly be satisfied to a great extent. I am not giving that as a universal opinion, but only what I gather to be the general opinion amongst the undergraduates.

1239. You were not aware among them, or among the younger graduates, of a desire that all offices should be indiscriminately thrown open?

As a rule, undergraduates do not pay any attention to the subject. Of course, I myself am interested in it, and have spoken to many of my friends about it; but I have found a very general ignorance and want of interest in the question whether offices should be thrown open or not.

1240. From your own point of view, what opinion should you form upon it?

Your Lordship will remember, of course, that I am an interested party in the case.

1241. Of course; I am assuming that you wish, as you have told us, for the abolition of any restriction upon emoluments and honours. I want to enter into the question of offices, and to find out how far you would, from your own point

of view, taking into consideration not only your own individual interests, but the interests of the University as a place of education, wish the abolition of tests to be carried?

I think the abolition of tests would be a benefit to the University, as enabling the University to have a better choice of men to fill the high offices; and also it would have a beneficial effect in removing the suspicion which now attaches to many who do sign the test, that their signatures are given simply as a matter of form, and not as a matter of real belief

1242. In a University reformed upon that plan, would you contemplate any religious teaching being retained?

Certainly. I do not see what religious teaching would be affected by this Bill at all. The religious *teaching* given by the University is nothing at all. There is an examination, compulsory upon all undergraduates, in Paley's "Evidences of Christianity," and one of the Gospels, varying from time to time; and there is the University sermon, attendance upon which is optional. The candidates for ordinary degrees have also some further theological examination in the history of the Reformation, and some part of the Greek Testament; but as regards the whole of the religious teaching, if one may call it so, which is given by the University, I do not think, from my own personal opinion, that this would be at all likely to be affected by the abolition of tests.

1243. Do you think that the teaching of the colleges would be in any way affected by the abolition of tests?

I should hardly think so. There is compulsory chapel at all the colleges, but those who conscientiously object to it are excused from it. That is the case certainly at Trinity, which is my own college; at Christ's, I know of cases, and one at St. Catharine's. At St. John's, a gentleman was told that, if he came up, he would be excused from chapel, so that, really, chapel is not compulsory upon all undergraduates. At present, the theological lectures are all optional. Therefore, there is really no religious teaching in every college which is compulsory upon *all* undergraduates; but I ought to say that most of the Protestant Dissenters do not object to attending chapel. I have known many who attended regularly, who, I believe, could have been excused if they had wished; but they never showed the slightest objection to attending. The objection comes chiefly from members of the Roman Catholic Church, and from those who are not Christians at all.

1244. Should you contemplate the possibility of religion being retained at all among the subjects of teaching, if the teaching staff of a college were composed of the four senior wranglers you have referred to?

I have some personal acquaintance with one of them, Mr. Aldis; and I know that he is a man who regards religion as a subject of the highest importance.

1245. He would hardly agree with you upon that point?

He so far agrees with me that he is the president of a society whose avowed object is the entire abolition of these tests.

1246. Of course I do not doubt the sincerity of his views in that respect, but would it be possible to work any kind of religious teaching, in a collegiate body, of which such men as these four senior wranglers were members, considering the difference of their views?

I do not understand what the religious teaching is that your Lordship alludes to. At Trinity College, which I know best, there is a compulsory chapel to which, as I have before said, Protestant Dissenters do not object at all. There are optional lectures upon such subjects as parts of the Greek Testament, Butler's Sermons on Human Nature, and so on. I do not think any of the three other senior wranglers I have referred to, besides myself, would in any way attempt to abolish those. They might abolish the compulsion to attend chapel, but that practically does not exist except for Churchmen; because anyone who really, and sincerely, and conscientiously objects, can be excused at present.

1247. If Mr. Aldis was a tutor, taking as you say he does, and I have no doubt of it, the deepest interest in religious matters, instead of instituting a Butler lecture, would he not institute a lecture in whatever author corresponded to Butler in his own denomination?

I do not understand that what are called the orthodox Dissenters have the least

Mr. *N. E. Hartog.* — 3rd March 1871.

objection to Butler; I think it would be a book they would highly appreciate, and Mr. Aldis (as I have brought in his name) is thoroughly orthodox in the sense in which the word is commonly used.

1248. You mean that, as a general rule, those whom this abolition of tests would admit to offices in the college would belong to denominations which would not quarrel with the ordinary standard text-books of theology in use at Cambridge?

I think so, as a rule. Of course I am in an exceptional position.

1249. You think that the number of persons in an exceptional position like your own would not be sufficiently large to warrant any legislative notice?

Yes, I think so.

1250. Does the objection which is entertained to tests to be taken by each individual man, extend to provisions controlling the nature of the teaching to be given, that is to say, controlling it in a prohibitory sense?

The same objection would certainly not apply, because no man could conscientiously object to being forbidden to teach a certain subject. Of course it is another question how far it is advisable to control the teacher's liberty, and whether a man would accept the office of teacher under such conditions. But it can hardly be called a "test" in the sense in which the word is used at present.

1251. If you took an objection to it, it would be upon the ground of its impairing religious liberty?

Yes, or moral liberty. I do not say that I would object to it, but that is the ground upon which it could be objected to, not upon that of exclusion.

1252. Do you not think that parents might reasonably take some objection in respect of an unrestricted teaching of their children by persons whose religious opinions they did not agree with?

They might; I cannot say.

1253. You would not see anything opposed to natural justice in such an objection, would you?

I should not.

1254. Your view, as I understaud it, is that a tutor's opportunities for affecting the religious belief of his pupils are not very large?

Certainly they are not. At a large college (I would be understood as speaking especially of Trinity College, which contains one-third of the University, but my remark would apply generally to many other colleges) the tutor has nothing to do with the religious instruction of his pupils at all.

1255. Of course the same would apply to the head?

The head hardly comes in contact with the undergraduates in any capacity.

1256. Earl of *Harrowby.*] Each tutor at Trinity has a very large number of pupils, has he not, under his nominal care?

Yes, there are over 500 undergraduates equally distributed among the tutors.

1257. Amongst how many tutors?

Among three.

1258. Duke of *Somerset.*] I understood that you would do away with all tests?

They seem to me to be impolitic.

1259. Would you allow there to be no Divinity professors at the University?

A Divinity professor is in a different position from others, because he has to teach theology, and he must teach a particular system of theology. Therefore I see no hardship in his being compelled to be a member of the Church of England; but in the case of such a professor as the professor of botany, for instance, I cannot see that the abolition of tests would do any harm to the University, and I do see that it might do great good.

1260. You would make an exception in respect of those who teach Divinity?

I would as regards the professors of Divinity, certainly.

1261. Either

1261. Either by their entering orders or by tests, or in some other way, you would allow that they should be of the religion of the country, I presume?
I would.

1262. But for all other purposes you would do away with tests?
I would.

1263. Lord *Colchester.*] Did I understand you to object to all denominational foundations retaining any exclusive character?
I think any test tends to produce dishonesty.

1264. You object to the machinery of tests in any case?
I object to it because it lets in every man who is unconscientious.

1265. You would think, in any case, whether in the University or elsewhere, that requiring from a man a declaration of opinion, under any circumstances, was objectionable?
Yes, I should consider it objectionable, for instance, to require a Fellow of the College of Physicians to declare that he did not believe in Homœopathy.

1266. If a man can gain or lose in any way by declaring a particular opinion, you think it is very undesirable that he should be called upon to declare that opinion, whether the opinion has reference to religion, or anything else.
Yes, I think so. The temptation is so very strong to get over difficult words by a mental reservation, or by construing them in a non-natural sense.

1267. You think, that to require the signing of any declaration of opinion, whatever the motive may be, is objectionable?
I do think so.

1268. You consider that there is an injustice in the existence of exclusively denominational foundations, by whatever machinery they are enforced. You think that maintaining a foundation for one religious body is always objectionable?
No, I should not like to utter so very wide a proposition as that?

1269. With regard to the injustice that you referred to, I suppose you would consider that it was diminished by the action of the former University Commission, which threw open the educational benefits of the University to those who had not signed the articles?
The educational benefits of the University of Cambridge have always been open; there has never been any test upon matriculation; the test came upon taking a degree.

1270. I suppose you would consider that opening an advantage, irrespective of other tests?
Yes, I consider it a very great advantage, because a University education is a very great advantage to any man.

1271. Therefore you would not say that persons were in a worse position from being able to go so far, and being unable to proceed further, though you would desire that they should be able to proceed further?
I should not say they were in a worse position, certainly.

1272. Is the Cambridge Union attended largely by all the undergraduates, or by a great majority of them?
I should say that it would probably number amongst its members about half the undergraduates at any time, and it is generally well attended.

1273. You have referred to the divisions at the Union as a test of the opinion of the undergraduates; do you think that the divisions of a body like that, which are often taken after a great many members have gone away, would fairly represent the opinions of those who were present at the commencement of the discussion?
That would not always be the case; but at the Cambridge Union a member going away an hour after the opening of the debate is allowed to give his vote in writing. Therefore a very large number of those who were present at the opening are able to vote, though they do not stay to the end of the debate.

Mr. *E. N. Hartog.*

3rd March 1871.

1274. Do you see any objection to certain colleges retaining an exclusive character if others are thrown open, so as to provide for the wishes of each of the two portions of the nation which desire a different system in that respect?
I have not thought much upon that question.

1275. You are not prepared to give an opinion against it?
I have not heard it mooted; the only way in which I have heard the question raised is, whether it be advisable that the colleges should have permission to change their rules.

1276. You have never heard of a distinction being drawn with regard to the dates of the foundation of the different colleges, as to their having been founded since or before the divergences of opinion arose?
I have heard such questions alluded to, but I have never heard much importance given to them; as regards the University of Cambridge, there are three colleges, and those all small colleges, which have been founded since the Reformation; I do not know what proportion of the endowments of other colleges have been added since the Reformation; I cannot say that I have ever heard the question much discussed.

1277. Earl of *Carnarvon.*] I understood that you said, in answer to one of the questions you were asked, that whilst on the one hand it was the general wish of the undergraduates who were at all conversant with this question to see tests abolished, on the other hand it was not a question very much canvassed among undergraduates?
It has been more so of late years, owing to the number of instances of exclusion which have occurred. I think undergraduates, as a rule, are like other young men, they do not trouble themselves much with speculative questions, but when a practical case occurs they turn their attention to that case. I think the cases which have occurred of late years have caused a flow of opinion in a direction favourable to the abolition of tests.

1278. Then you said candidly that there was a good deal of ignorance in the way in which the question was discussed; how did that ignorance show itself; was it as to the real objects in view, or the ground upon which it was argued?
I do not think I used the word "ignorance" with reference to that. I think I said that they did not much care (I believe the expression I used was "want of interest") about the question of opening offices, or the governing bodies of the colleges; but that the chief question to which their attention was directed was the injustice of excluding men from academical prizes.

1279. The indirect exclusion, in fact, from academical prizes, which is involved in the existence of tests?
Exactly so.

1280. Have you yourself known amongst undergraduates many who have objected to the system of tests?
I have known a great many, and, as I said in answer to the noble Chairman, the number has increased. Amongst my own personal acquaintances I know of many who at first were in favour of the tests, but who now oppose them. When I first went to Cambridge, it was a common thing to find an undergraduate professing to belong to the Liberal party, who yet was in favour of keeping up the system of tests. I think you will hardly find that now.

1281. Have you known many who have declined to take the test?
The question only arises with those who have taken high honours, which accounts, to some extent, for the comparatively small number; but I know of a case which happened last October, in which the son of a clergyman of the Church of England, after presenting himself for examination, and being elected a fellow, refused to take the test; and in consequence could not hold his fellowship; and there have been many cases of exclusion. I have a list here, which I can hand in if your Lordships wish, of some of those who have taken honours within the last few years; that is to say, those whom I personally know to have been excluded from fellowships by the tests.

1282. *Chairman.*] If there is nothing confidential in it, will you put it in?
I will do so (*handing in the same.* Vide *Appendix*). I should wish to mention that

that, besides the se ior wranglers, there have been, in mathematics, a second, a third, a sixth, and a seventh; in classics, a third and a fifth; a senior in natural science; a second in moral science; and a second in law. The other subjects, except classics and mathematics, would not necessarily give a claim to a fellowship.

1283. Were all those cases you have mentioned cases of persons who declined to accept the tests?

Except in one case they declined to present themselves for a fellowship to which they would have been elected if they had accepted the test. The one I have excepted refused to take the test after being elected.

1284. Did they belong mostly to the Nonconformist body?

I will, with your Lordship's permission, glance down the names. I see that all, except the one I have mentioned, were Nonconformists.

1285. Earl of *Powis.*] If the power of legislation or office in the University were entirely thrown open by the abolition of tests, have you considered what provision should be made for the election to those professorships and prizes, and University offices connected with religious teaching, to which the Vice Chancellor, or the Council of the Senate, or the heads of houses, are electors?

I believe that this Bill excludes the heads of houses from the effects of the abolition of tests, so that that would do away with part of the question; but I have certainly not given much thought to the subject. In case it were an office closely connected with the Church of England, such, for instance, as the Regius Professorship of Divinity, I presume no objection could be made to a requirement that the electors should be members of the Church of England. In saying this I am only giving my own individual opinion.

1286. Do you consider that for those professorships, and prizes, and offices which are connected with the Church of England, it would be reasonable that there should be a restriction upon the persons appointed to them, that they should be members of the Church of England?

Personally, I should consider it reasonable.

1287. Lord *Lyveden.*] Was your conscientious objection to taking the test the only obstacle to your procuring a fellowship, providing that your acquirements justified it.

At Trinity College the practice is different from that at most other colleges. There is a special examination for the election to fellowships, but a man who took the place of senior wrangler would be certain to be elected. At most colleges the fellowships are given simply according to the places taken in the triposes, or public examinations, and I should have been quite certain to be elected in that case.

1288. Supposing you had chosen to take the test, no power could have excluded you from a fellowship on the ground of what your religious opinions were supposed to be?

I do not believe any power could have excluded me, if, while subscribing my name to the declaration, I had declared that I did not believe a word of it.

1289. Did you attend chapel?

I was excused on account of my religious opinions.

1290. I suppose the loss of a fellowship, or the absence of the power of acquiring one, might seriously affect the course in life of a man who was destined to the Bar, or any profession or business of that kind?

Very seriously indeed; the most forcible proof of that would be a comparison of the situation of such a man with that of his competitors, whom he has beaten at the University.

1291. Then the loss is not only to the University, but to the public generally, that a man of talent should be excluded from success in a profession by such a test as that?

A man of talent with a fellowship has certainly a much better chance of getting on in any profession than a man without one.

1292. Lord *Houghton.*] Are you quite correct in saying that the taking of so high a degree as you have taken would render the election to a fellowship of the student who took it an absolute necessity?

Mr. *N. E. Hartog.*

3rd March 1871.

I think that is the case, at least so far as this, that if he chose to exert himself, as he might reasonably be expected to do, it would be a certainty; but it is not a foregone conclusion at Trinity. If he chose to neglect his work, and did badly in the fellowship examination, he would not be elected.

1293. Is not there a special qualification and condition that the morality of the applicant should be considered, and, not *à fortiori* but nevertheless, might not his religion, by a similar construction, be considered an obstacle?

I am not sufficiently acquainted with the statutes to know if such a condition as morality is required; but certainly the general idea is that nothing but academical distinction is considered.

1294. I have not the words of the condition before me, but I know that not only do they refer to something beyond intellectual distinction, but I have heard it stated that it would be quite within the competence of the seniors of Trinity, if they chose, upon grounds of public policy, to refuse the admission of any fellow whom they did not think it would be advisable to admit; have you not heard anything of that sort?

Yes; I believe it is within their power; but I should think it is a power which they very rarely exercise. Cases have occurred (I would not particularise any college) in which men not bearing a high reputation for morality have been elected fellows.

1295. The number of fellows in the University of Cambridge is very large, is it not?

It is large; I do not know the number.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Tuesday next, at Twelve o'clock.

Die Martis, 7° *Martii* 1871.

LORDS PRESENT:

Duke of SOMERSET.	Earl of KIMBERLEY.
Marquess of SALISBURY.	Lord COLCHESTER.
Earl COWPER.	Lord ROSEBERY.
Earl STANHOPE.	Lord STANLEY OF ALDERLEY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl BEAUCHAMP.	Lord HOUGHTON.

THE MARQUESS OF SALISBURY IN THE CHAIR.

The REVEREND JOSEPH ANGUS, D.D., is called in; and Examined, as follows:

Rev. *J. Angus*, D.D.
7th March 1871.

1296. *Chairman.*] YOU are the Head of Regent's Park College, I believe?
I am.

1297. Your name has already been mentioned in this room by Mr. Perowne, I think?
Mr. Perowne mentioned Regent's Park College in his evidence.

1298. And I think you desire to rectify an error into which he has fallen?
I do.

1299. Would you kindly state what your views are?
In his evidence before the Committee, as printed in their Report, he quotes our case as an example in which both ministerial and lay students are subjected to tests prior to admission, and suggests that the same rule is applicable to other Nonconformist institutions of a like kind. The fact is, that he has confounded our questions addressed to ministerial students with our requirements from lay students, and has supposed that we ask the same questions of all students who enter the college.

1300. Earl *Stanhope.*] Will you state the page you are referring to?
This is in answer to questions Nos. 537 and 551, at pages 44 and 45 of the Blue Book. No. 551 is the chief question. Mr. Perowne there states, in answer to a question, that the lay students are subject to theological tests as he supposes the theological students are, the fact being that we have no doctrinal tests whatever of any kind for lay students, nor, strictly speaking, for ministerial students. I may say that this mistake is not unnatural; in one sense our institution is primarily theological, and we print upon the back of our report a set of questions intended for theological students. The questions themselves indicate for whom they are intended, because the next rule to the one quoted by Mr. Perowne is, that "Every student shall be recommended by the church to which he belongs as possessed of real piety, and shall submit to such test of his gift for preaching as the Committee think proper." The rules, in fact, apply not to lay students at all, but to ministerial students. Mr. Perowne read them as applying to all students, and hence drew the conclusion that we submitted lay students to tests as well as ministerial students.

1301. *Chairman.*] You do not, however, think that there is anything at all insulting to ministerial students, or that it is a condition with which you cannot expect them to comply, to ask them to give evidence of their views upon religious subjects?
We think that as our institution is supported from year to year by donations

Rev. *J. Angus*, D.D. 7th March 1871.

and subscriptions for training men for the Christian ministry in Nonconformist churches, it is only fair to have evidence of their fitness for such work; strictly speaking, they sign no test at all, but they state in writing what their views of religious truth are.

1302. That comes to very much the same thing, does it not?

Practically it differs in this way, that we require no rigid agreement with particular words; and every now and then, if a man is really right-hearted, and differs from what we should deem to be the sounder view, we say, Let him study awhile and learn a little more theology, and then he will be competent to decide more accurately what the truth is.

1303. But you would not accept a man who differed fundamentally from what you deem to be theological truth, would you?

No, we should not put him upon the funds of the college in that case.

1304. It is a denominational college, is it not?

It is a denominational college so far as ministerial students are concerned; our lay students come, practically, from all evangelical bodies. Sometimes we have Churchmen, sometimes Wesleyans, sometimes Pædo-baptists, sometimes Baptists, as the case may be. There is no restriction in that respect.

1305. But your teaching is regulated by that which the governing body and the supporters of the college look upon as theological truth?

As far as the ministerial students are concerned, that is the case, certainly. So far as the lay students are concerned, in connection with the literary classes we require them in the first year to attend a class on Butler's Analogy, which is one of our text-books, and which is, of course, not denominational; and we desire them to attend a Greek Testament class in the second year; so that the lay students always have, in connection with their other studies, one class which may be regarded as religious, though not as denominational.

1306. Your religious teachers are selected mainly on religious grounds, I presume?

Two of our teachers, namely, my colleague and myself, who are resident in the college, are members of the Baptist body. Three of our tutors are not members of that body at all. Mathematics and natural philosophy, French and German, and chemistry, are taught by men whom we deem to be competent to teach those subjects without respect to their personal religious convictions.

1307. But those teachers who have to do with moral and religious subjects are selected with a view to their opinions as well as to their efficiency in other respects?

Quite so.

1308. And that is a qualification of which you would think it very unreasonable to complain in a college supported by the money of those who belong to your denomination?

Certainly.

1309. I suppose, in common with other members of your denomination, you object very strongly to the tests which exist at the Universities of Oxford and Cambridge?

I object to them, certainly, but not much more strongly than I should object to like tests laid down by my own body.

1310. Do you mean that you object to the existence of a test, or to the nature of the test in question?

I object to both. I may, perhaps, say that our institution was the first practically that adopted the system of blending lay students with ministerial students, although it is now adopted in other theological institutions. Our purpose, in adopting this system, was twofold; first of all, to secure what we deemed to be a Christian education, an education under Christian influences, for respectable lay students; and, secondly, to give them a higher secular education. We therefore send our men to the University of London; and, without imposing tests upon them we expect them to conform to the habits of an orderly Christian family, and to attend these *quasi* religious classes of which I have spoken. To submit them to a test would, to my mind, be altogether unwise, and practically mischievous, even

even if the test consisted of a subscription to our own articles, such as we have. Rev. *J. Angus*, D.D. 7th March 1871.

1311. Then supposing the Universities and colleges of Oxford and Cambridge adopted your own view of their duties towards their pupils, and without requiring any tests, merely made arrangements for giving to them a Christian education, should you consider that that was a hardship upon the Dissenting bodies?

I do not know whether your Lordship means in providing the education or in requiring attendance.

1312. In giving the education, not in requiring the attendance of those who differed from that education?

I should not consider it a hardship at all that classes in Butler and the New Testament were provided for all students, and that the students were all encouraged to attend those classes.

1313. Should you consider it a hardship if means were taken to insure that an education of that kind was permanently given in those institutions?

I certainly should not, with one condition: in our own house I have now and then a student who would rather be off the Greek Testament class, for example, and if I found that he had conscientious objections, I should of course give him leave of absence; but if it were merely that he did not see its bearing upon his own professional pursuits, I should then overrule his objection upon the common ground that a knowledge of the New Testament is really part of a gentlemanly education, and is also conducive to habits of moral uprightness, and so on, in after life. I do all I can morally, in fact, to get these classes attended, and I should not release a man from the duty of attending them, except upon conscientious grounds. I should entirely concur with like principles laid down at the Universities.

1314. All, in fact, you would require is what, in Parliamentary language, we call a conscience clause?

Quite so.

1315. You recognise the impossibility of giving religious instruction at all without giving it to some extent definitely in accordance with the views either of some denomination or of some group of denominations?

Practically I see no difficulty in the way of teaching a common Christianity. I have tried it in the case of men of different religious bodies in our own house; and while it makes the tutors respectful and careful, I have never had a practical difficulty in teaching the truths of our common religion in relation to morals, and in relation to doctrinal truth also.

1316. That I presume arises in some respect from no persons having come to you for instruction who entertain an objection to the fundamental truths of Christianity?

No doubt that is so.

1317. You would hardly extend the answer which you have just given to the case of Unitarians, would you?

In such cases I should deem myself free still to keep to the common Christianity, and to urge a student to attend for the sake of the literary advantages of the class; that would be my own feeling; I may add that in reading the Greek Testament in an elementary class, I do not deem it part of my business to discuss the points on which Unitarians and other Christians differ as part of a system of doctrine; the very utmost I should do would be to explain what seems to be the obvious meaning of a particular text occurring in the lesson of the morning.

1318. But you could hardly deal with the doctrines of Christianity at all without running athwart the ideas of a Unitarian?

No doubt I should run across his views upon particular passages; there is no question of that.

1319. But you would not consider it a hardship upon any body of Christians if the rule of the institutions at Oxford and Cambridge were that Christians should be taught in such a form that Unitarians might object to some portion of the teaching?

I should not so long as the teaching represented the general view of the community.

Rev. *J. Angus*, D.D. 7th March 1871.

1320. And, to go one step further, you would not consider it a hardship if teachers were restrained from teaching doctrines hostile to a common Christianity?

In the case of religious teachers I should not.

1321. I think you said that at your college, founded and sustained as it is by members of the Baptist denomination, the religious teaching special to that denomination is taught to those who are willing to accept it amongst the ministerial students?

It is taught to all ministerial students.

1322. And to the lay students who are willing to accept it?

We do not teach systematic theology to lay students at all; they take the two classes I have mentioned in Butler and the New Testament, Butler changing places in alternate years with Paley, or some book upon the evidences of Christianity.

1323. But you recognise it as a matter of justice that those who furnish the funds should have the right of directing the uses, including amongst the uses religious teaching, to which those funds should be applied?

Quite so.

1324. And I suppose you would extend that to the case of bequests which have been made to you?

We should do so certainly, and practically we do so; we have no large dependence upon bequests; our chief support comes from yearly contributions, partly from the students themselves, and partly from the Christian public.

1325. And if it had been established to your satisfaction that bequests had been made for the purpose of teaching the doctrines of the Church of England, you would not think it a hardship that they should be applied in providing tha branch of instruction?

If they were contributions for the ministry, I mean to say gifts for the purpos of teaching clergymen or ministers, I should see no hardship in continuing to us them for that purpose.

1326. Should you see any hardship in so treating it if the bequest was made for the purpose of teaching the doctrines of the Church of England to lay students?

If the bequest was made for that specific purpose alone I should see n hardship in it whatever.

1327. All you would think it necessary to inquire would be whether that had been the distinctly expressed intention of the testator?

Quite so.

1328. Do you practically have any members of the Church of England at your college?

In the 20 years I have been there we have trained some 100 lay students, and I think six or eight have been members of the Church of England.

1329. I suppose they have been members of the Church of England belonging to one wing of that body exclusively?

I have no doubt their leanings have been in favour of what is known as the Evangelical section of the Church. Our rule, I may say, is that the students are free to go to such place of worship as their friends request. It is a matter of arrangement between the father or guardians and myself.

1330. But whatever the father or guardians arrange, that you insist upon?

That I insist upon.

1331. You do not leave it to the choice entirely of the young men themselves?

No; now and then I have had difficulties raised in cases where they do no happen to like a minister in the particular locality nearest to them, for instance and then I have corresponded with the father, telling him of the difficulty, and leaving the father and the young man to settle it as they may think best upon the whole. What we insist upon is that there shall be something like regular attendance at public worship, leaving the question of the place to the judgment of the father and the student together.

1332. Do

1332. Do you look upon it as an essential part of education at any college where students reside, that they should be brought up generally under the influence of religious teaching?

That is my own strong feeling.

1333. And therefore you would consider it a great misfortune if the result of any movement now taking place should be that the Universities should become wholly secular and non-religious?

I should certainly say Yes to that question, provided I had guarantees that the religion was of the right kind, and earnest, and so on. I can easily conceive, however, that circumstances might arise in which it would be so neutral or so questionable that I would rather be without it

1334. You mean that it may be so neutralised by controversies?

No, rather by the coldness or inconsistency of the teachers, or by the questionableness of the doctrines taught. What I do feel strongly is, that all young men should be brought up under the influence of religious feeling, and principle, and truth; and if I can only get these I should allow a large amount of license in the shape of silence on minor points. If I cannot get these, and the religion becomes nominal, formal, and worldly, then I have a feeling that you may be doing more mischief than good to the very object which is dear to the hearts of us all, by insisting too much on the religious element.

1335. If that were the case, would you not rather trust that these imperfect or forgotten professions should be amended, than for ever shut out the possibility of such an amendment by establishing a purely secular and non-religious system.

I should be very unwilling to resort to the latter alternative unless I found that I could not get what I deemed to be the essential thing.

1336. You would not trust, would you, to the experience of a few years to convince you that it was impossible to get the essential thing?

I certainly should not. My own conviction, so far as a very wide experience and observation goes, is that the chief thing really is to have earnest, godly men, in the wide, true sense of the word, as tutors. You do not get that by subscription. Only give me that, and I do not care about agreement upon minor points at all. That is really the essential thing. Subscription does not tend to that result in any way to my mind, and it has mischiefs of its own.

1337. But in removing subscription you think that that result ought to be borne in mind as one of the highest objects of desire for the Legislature?

Quite so.

1338. You have been recently engaged in a popular election. Is it not your opinion that the general feeling and desire for a religious education, applied to young men of all classes and ages, is a feeling strongly entertained by the people of this country?

Certainly.

1339. Lord *Stanley of Alderley*.] Will you please to enumerate the denominations which you consider as holding the common Christianity?

That is an extremely difficult question to answer, partly because many men are much better than their creed, and partly because the creeds really run into one another. I feel great difficulty in deciding that question. I can only assert what I myself feel bound to believe, which of course shelves the question rather than answers it; it does not, however, in my judgment, affect the question of tests as to non-clerical fellowships.

1340. Lord *Rosebery*.] Do you suppose that upon the removal of the tests, the class of students who attend the college in Regent's Park would be likely to go to the University of Oxford or Cambridge?

No doubt that might be the result largely.

1341. In spite of your predilection, of course, for your own particular college, you would desire that object very much?

I certainly should. I have recommended some of our students to go there, feeling that there were risks and disadvantages in their going, but feeling also that an education at Oxford or Cambridge is of great importance for the formation of gentlemen and citizens.

Rev. *J. Angus*, D.D.
7th March 1871.

1342. In spite of the impossibility of their having any official influence over the University, you have advised them to go there?
I have.

1343. Then of course you apprehend the very greatest advantage from their being allowed to have some share in the government of those Universities?
I certainly do. At the same time it is not the government about which I am anxious, though I think it would be just to give them that influence, but I may describe the evil that presses upon us thus: The most anxious time for a young man who is going into any profession is between the taking of his degree and the end of the proverbial seven years which must elapse before he gets a practice producing a competency. Honourable high-minded young men feel that especially, because if they go to the Bar after going to Cambridge or Oxford, they have the fear that they must be dependent upon their friends for the first seven years of their professional life. A high-spirited man feels that after so much has been spent upon him already he does not like additional expenditure to be incurred in that way. I have known in the men who have been under my care a good deal of that honourable feeling. Young men say, I would go to Cambridge, but I do not see my way to adequate support for some years, and I cannot think of taxing my father further; he has other children to provide for, and what not. I strongly feel that it is a great hardship; that in point of fact it is a cancelment of *half* the advantage of the present system which opens scholarships, *that young men after* they have passed through their undergraduate course, *being* men of high principle, as I believe nearly all of our men are, should be deprived of the honourable support which a fellowship gives until they can be called to the Bar and can practise. Of course, I think it is only just that there should be given to men of like standing in the University, like influence in the way of government; but it is the practical grievance that I feel the most in our particular case.

1344. Earl *Stanhope*.] May I ask whether you have ever yourself resided at any of the Universities?
I have resided at Edinburgh, but I have never resided at any of the English Universities.

1345. Lord *Rosebery*.] You do not suppose, do you, that Dissenters would flock to the Universities in such large numbers as numerically to preponderate over the members of the Established Church at Oxford and Cambridge?
I am afraid it will be many years first; nor then unless they become the majority of the nation.

1346. Then there would be no chance of the Dissenting interest being predominant at the Universities unless the members of the Established Church were inferior to the Dissenters in point of intellect?
Certainly not; or in numbers.

1347. Are you afraid of the study of philosophy as having a hostile influence to religion upon the mind?
I am certainly afraid of the half-study of it; such study as is all but unavoidable, for instance, in the University of London, where a youth has as much as he can do to get up one side of the question to pass his examination. I have no fear whatever of the thorough study of it, if it were carried out.

1348. Have you a fear of the study of philosophy as pursued for honours at Oxford?
I do not know enough of the system to speak of it, but I am told that it is not unlike the system of the University of London in that respect.

1349 Then you would be rather inclined to fear its influence at Oxford upon the mind of the student?
I think there is risk of it.

1350. But in spite of that risk, you would wish that Dissenters should go to Oxford?
Certainly; I have no question that the risks may be counteracted by further study. I would seek to counteract them in that way, and not by forbidding the study of philosophy altogether.

1351. I gather that you would only consider this as a partial measure, for the satisfaction of Dissenters, as long as the clerical fellowships are maintained?

From

From my answer to a previous question, it may perhaps be gathered that I am not quite sure whether I go with the popular cry in favour of the abolition of clerical fellowships. It seems to me that there is a wide distinction between those which have been founded since the Act of Uniformity, for example, and those that are of earlier foundation. I have rather had a feeling that if you have a national church, it is only fair that there should be special facilities for training ministers for that church. I confess I should like, upon general grounds, that the fellowships should be open, and that clergymen should win their fellowships by superior scholarship. That would seem to my mind the healthier system, but I do not feel that there is any injustice in retaining the clerical fellowships if those clerical fellowships have been founded by Protestants, for the use of the Protestant church, since the Act of Uniformity.

1352. Lord *Colchester*.] I understood you to express the opinion that tests were very unwise for students; have you no kind of test whatever for the governing body of your college?
No test whatever.

1353. By what means do you secure, that the office which you at present hold shall not fall into the hands of a person who might be either opposed to Christianity altogether, or entirely opposed to the views which your college is intended to support?
There is no test impediment in the way of that result. Our Committee are practically elected by the subscribers and the ministers of our churches, and this Committee elect the President of the college according to their judgment.

1354. Do the ministers form a majority or a very large proportion of the electors?
They are a minority, decidedly.

1355. Supposing such a state of circumstances ever arose as that a number of persons became subscribers for the purpose of influencing the election of the President of the college, you would have no security, would you?
Under our present constitution we might be bought up at any time, except for the Trust Deed, which defines the general object of the Foundation.

1356. Supposing any persons acted, in the case of your college, in a manner in which people have been known to act in political elections, namely, by creating what are called faggot votes by money expended in the form of subscriptions, you would have no security at all, would you?
We have had a fear of that result in some other societies, and there we have met the difficulty by altering the constitution, so as to require that the electors shall be subscribers and members of the body on whose behalf the society was founded.

1357. Then by what test, or by what other means do you secure the *bonâ fide* membership of the body; do you make them declare that they are *bonâ fide* members of the body?
They are known in connection with our respective churches as men who have made a profession of Christianity to the satisfaction of the other members of their communities.

1358. Then it is not allowed to a subscriber to have a share in the government of the institution, unless he has at some time or other made a religious profession?
In the case of the societies which I have referred to that is so.

1359. You do not think that there is any injustice in resorting to that restriction for the purpose of securing a denominational establishment?
No; not when it is supported by subscribers, as in the cases I referred to.

1360. In the other case, of course, subscribers would not be the voters at all?
Quite so.

1361. In the case of bequests for a denominational purpose, would you object to some similar security, that the governing body should be elected by persons who would wish to carry out the denominational object?
Certainly not.

1362. I understood you, in answer to the noble Chairman, who asked you

Rev. *J. Angus*, D.D. 7th March 1871.

whether you thought that there was any hardship in teachers being restrained from attacking the Christian doctrines, to answer that there was none in the case of religious teachers; do you consider that a teacher of history or philosphy should be allowed to introduce into his lectures opinions which he might have formed himself with reference to religious principles?

I am afraid I have been somewhat misunderstood; I did not understand the question which was put to me to be whether teachers of religion should be free to attack Christianity, but whether they should be free to teach it.

1363. You said that you saw no hardship in a religious teacher being restrained from the expression of any opinion hostile to Christianity; I did not understand whether you thought that any other teacher might incidentally introduce any opinion he pleased?

I did not understand the question that was put to me as meaning that religious teachers should be restrained from attacking Christianity. If men are appointed by law to teach religion, I said that I felt there was no hardship in their being required to teach it.

1364. Do you see any objection to some declaration being required of a teacher of philosophy or history that he will not introduce into his lectures attacks upon the fundamental principles of religion?

I think he ought not to attack what we understand as common Christianity, but I should be sorry to lay down any legal test binding him not to do so.

1365. If you had a teacher (such as one or two professors in the University of London) who was distinctly and avowedly an adherent of the Comtist system, would you wish to restrain him from teaching that system in connection with philosophy or history?

I should wish that he should not teach it, but I would not subject him to a test for all that.

1366. What security would you suggest then?

Our own case seems to me to meet the question; we should not think of requiring a professor of German not to import philosophy into the teaching of that language.

1367. But that subject has nothing to do with philosophy whatever?

Still he could teach it if he liked, indirectly; I think the force of public opinion is the great safeguard in that matter.

1368. Do you mean public opinion without the college or within it?

Both ought to be brought to bear.

1369. With reference to your advising the members of your own body to go to the Universities of Oxford and Cambridge, should you feel some reluctance in giving that advice; if, in consequence of certain changes, some of the colleges of those Universities were in the hands of men of most questionable religious views, or of men verging upon non-Christianity; you would feel considerable reluctance in advising persons from your college to go to a college in which such a spirit prevailed, should you not?

If I had reason to think that anti-Christianity was taught anywhere, I should certainly advise our men to keep clear of it.

1370. So far then they would lose the benefits which you otherwise would hope for from the abolition of tests?

Yes, quite so.

1371. Therefore any system which abolished tests partially, and yet maintained safeguards for religious education, would be the most desirable system for your pupils?

I am not so anxious about the safeguards; what I want is an earnest Christianity in the teacher; that is all.

1372. With respect to your statement as to the advantage of a fellowship for starting a man in a profession, there is nothing to prevent any person who goes from your college to the University of Oxford for instance from obtaining a scholarship for his support in his undergraduate days, is there?

Nothing at all that I know of.

1373. And

1373. And perhaps you are aware that that support might continue in some cases for two or three years after he had taken his degree?
Yes.

1374. The practical grievance of exclusion from the means of support would be mainly removed by the fellowship unconnected with the government of any college, or with a share in the religious life of a college being opened, would it not?
I presume that part of the grievance would be removed in that way.

1375. The difficulty you state as to the maintenance of a man for several years after taking his degree, would be met by anything which gave him a provision in money irrespective of other advantages?
It would.

1376. You stated that you saw a very great difference between the earlier and the later foundations in order of date; I think you distinguished between those which were established previous to the Reformation and those which were established since that time?
I drew the line at the Act of Uniformity.

1377. Perhaps you are aware that there are four colleges in Oxford which are most decidedly Protestant foundations, having been founded since the full establishment of the Reformation; should you consider that they ought to stand upon any different footing as denominational institutions from the earlier ones?
I should think there is no reason for distinguishing between them and the earlier foundations so far as a common education is concerned.

1378. When the founder, since the existence of religious divisions, established either of those four colleges as a Church of England institution and as a place of religion and learning, of course it must be taken according to his views of religion. Supposing the Church of England to be what he meant, do those colleges stand upon the same footing as those earlier colleges which were founded before the existence of divisions in the country upon religious questions?
It does not strike me that the distinction is very appreciable if we are speaking of national education apart from the professional education of young men for the ministry.

1379. You think that a college which was established as a denominational institution by its founder, does not stand upon a different footing from one which was founded before the existence of divisions on religious questions?
I think not, except upon the supposition that the founder's chief object was the training of ministers.

1380. Upon what ground do you draw that distinction; do you think the denominational training unimportant for any person who is not to be a minister?
I think there is a presumption that foundations of that sort since the Act of Uniformity were chiefly designed for the education of Englishmen as Englishmen, and not to produce a class of men whose religious opinions were of a particular description.

1381. Upon what ground do you think that they were designed for the education of Englishmen as Englishmen?
That is a question largely of detail, and the answer to which must be based upon the circumstances of each particular case.

1382. It would, however, be only a presumption which would be capable of being rebutted by counter-evidence?
Certainly, it would be rebuttable by other evidence; there is no question of that; we have had similar cases in trust deeds, and in written understandings not so valid as deeds, in our own religious bodies.

1383. You do not think that it would be fair to inquire into the historical foundation of those later colleges before deciding whether or not they should be put upon the same footing as the earlier ones?
I doubt whether it would be desirable to do so.

1384. If a large number of colleges were open without tests, would it not render almost infinitesimal any grievance to those persons who are now excluded;

Rev. *J. Angus*, D.D.

7th March 1871.

cluded; supposing, for instance, that they had, we will say, 12 out of 15 colleges, and all the benefits of the University, open to them?

Upon public grounds, I should much prefer to have the whole of them opened unless there is the strongest ground for having a part closed; I think such a system must divide us into parties and defeat the object in view.

1385. You consider, do you not, that there are strong divisions of opinion in the country between the friends and the opponents of denominational education?

Certainly.

1386. Do you think when the opinion of the country is widely divided upon that subject, that a uniform system is desirable at the Universities?

I think it is.

1387. Do you not think it is desirable that the feelings and wishes of the different sections in the country should be represented in the constitution of the different colleges at the Universities?

I would rather try to change the feeling; in our own case, I should strongly object to the foundation of a Baptist College at either University.

1388. You think it would be more desirable that students of all persuasions should be educated in common?

Quite so.

1389. And under a college government of a neutral character?

Under a government of common Christianity, I would rather say.

1390. One object of the establishment of your college was that lay and ministerial students should be educated together, was it not?

Yes.

1391. And you would consider a measure undesirable whose effect might be to separate that education in the great denominational body of the country?

I think that would be a loss to both bodies, the lay and the clerical.

1392. Therefore, supposing the Universities came into such a state that the clergy of the Church of England were trained apart from them, that result would be one which you would feel to be unfortunate?

Quite so.

1393. Earl of *Kimberley*.] I think I understand your view to be that you do not think there should be any sort of test or special security for the teachers in the University, except those who are to teach religion?

Quite so.

1394. You think there should be some religious teaching in the Universities?

Quite so.

1395. And you think that that religious teaching should be Christian?

Quite so.

1396. A question was asked you with regard to the security which might be taken against anti-Christian teaching by lecturers on philosophy; do you think that it would be easy to invent any test by which such teaching could be excluded from such lectures, if the lecturer were inclined to introduce it?

I think not.

1397. Would you agree with me that, without in any way mentioning the word "Christianity," it would be easy for a lecturer to introduce philosophical opinions, which would really tend to sap the foundations of Christianity?

Certainly.

1398. I suppose it would not be right for us to assume that the Unitarians do not consider themselves Christians, whatever may be our view of their doctrines?

I have the same difficulty about that that I had about a previous question. I have no doubt, if I may venture to say so reverently, that there are Unitarians who are godly men.

1399. I do not know whether you quite understand my question. I ask you, not what your opinion is as to Unitarianism, but whether the Unitarians would include themselves in the body of professing Christians?

No doubt they do.

1400. *Chairman*.]

1400. *Chairman.*] To what extent would you carry your objection to Denominational Colleges; not, I presume, so far as to make them impossible by Act of Parliament? Rev. *J. Angus*, D.D. 7th March 1871.

I should not make them impossible. I am thinking of Denominational Colleges for the ministry, which is a very different thing, of course, from Denominational Colleges generally. I may be allowed perhaps to say, that underlying all my feeling on these questions, is the conviction that the system of test is both a failure and a mischief. If you confine the tests to what we should all concur in calling the essential doctrines of Christianity, scores of men would sign them who are not living under the influence of Christian truth at all. A man will sign any article upon the evil of sin, or his dependence for salvation on Christ, or the necessity of holiness (keeping to rigid essentials), and be no more a Christian man than a man who is avowedly an infidel. What we all want to get is an education under Christian influences in the noblest and widest sense, and between the signing of a belief in the essentials of Christianity and a Christian character, there is practically very little necessary connection at all. That is my first difficulty. Then, if you have tests, of course most will say it is of no use to keep to essentials; we must also accept subordinate points, either the 39 Articles or the Liturgy, or else make a declaration that you are a *bonâ fide* member of the Church of England, or submit to some such test. Then it comes to this, that the men who sign these Articles have probably no intelligent conviction about three-fourths of them; and generally, if they are serious men and earnestly disposed, they attach equal importance to all of them. This fosters bigotry and narrowness in the worst form. A man who dislikes to live under the influence of religious truth, finds it very easy to compromise by being very earnest about a mere rite like baptism, or something else of that kind. In this way men are taught to divide themselves off, and separate themselves from the rest of the community upon what we all feel to be subordinate questions. If a man is not a religious man the result is that he avows his conviction upon a number of truths for which he has not to his own mind decisive evidence; and then the next stage is, that he doubts some of them: and then the next stage is, as Mr. F. W. Newman has so strikingly described it in his "Phases of Faith," that he doubts everything. To my mind the test favours bigotry on the one hand and unbelief on the other; and even where it is restricted to the true essentials of Christianity it fails to secure that which alone might justify it, namely, a really religious character. My own strong conviction therefore is, that what we want is a succession of Christian and earnest teachers, and I should not myself, as a parent, scruple to send a son to an earnest conformist, provided I believed him to be a godly and Christian man. I should, of course, take all due care to keep my son free from what I might deem his minor errors. But, feeling very deeply the value of having a young man under the influence of one who will give him noble views of life, and aid him in his struggles after goodness, I should prefer a teacher of that class even if he differed from me on one-third of the minor points of our common faith.

1401. Putting aside the question of tests altogether, and concentrating your attention upon that one necessity of having a religious teacher, do you think that that can be obtained by leaving the choice of teachers to pure accident. Do you not think some kind of control is necessary?

That I think is a very difficult question. I am only clear that tests will never get them.

1402. Are you clear that some other provision may not be desirable in order to get them?

I see the difficulty there; I am not prepared to say how it can be done, but I have a strong feeling of its desirableness. The fact is, our present system reverses Coleridge's well known order. We begin with "faith" and then try to get "persuasion," whereas we ought to begin with persuasions and beliefs, and leave the acquirements of distinct propositions of faith to the end of life rather than its beginning.

1403. That may be wise with respect to the learner, but is it possible with respect to the teacher?

Of course the teacher may be supposed to be pretty nearly finishing his religious educational course, and therefore he ought to have distinct faiths; but

Rev. *J. Angus*, D.D.

7th March 1871.

that can hardly apply to a teacher of secular subjects, and practically he will often not have them; and even if he have them, they will not bring a religious life.

1404. But do you think that you are likely to have your learners religiously brought up, if you leave the choice of your teachers to the mere scramble of a competitive examination?

I think that whoever elects the teachers, importance ought always to be attached to moral character, and religious character too. I should be very sorry indeed to have tutors appointed simply upon the ground of competency in the subject to be taught, those subjects being purely secular. I quite think that whoever elects the teachers, great care must be taken to have men of really earnest and Christian character, but by tests you will never gain that result at all. There is no connection whatever, to my mind, between the two things, except in this respect, that I lose confidence on other grounds, in a man who throws over all religious belief; only he may avow any amount of religious belief, and yet there may be nothing but an awful disharmony between his avowed beliefs and his real character after all.

1405. Your view is that the obtaining of religious teachers is a matter of the highest necessity, but that tests, which have been employed as the mode of doing it, are a very inefficient and pernicious mode.

Quite so.

1406. Is there anything else you would like to say to the Committee?

There is one more point upon which I should like to say a word. Our purpose in getting these young men as lay students was to give them a religious home, and to exercise over them religious influence. I advocated strongly the admitting of young men of good character, requiring no more from them than evidence of that character, and conformity with the rules of a Christian family. In the result, out of a hundred men whom we have had in our house in that capacity, about a third of them, upwards of thirty, have become avowedly Christian men during their stay, another third being avowedly Christian men before they came. I had fears that the mixture of the two sets of men in the absence of religious decision might strain our principle, and that we might run risks in consequence; but I must say that the influence upon the religious character of the men is as healthy as I think the system itself is sound. They have undergone voluntary religious or Scriptural examinations in the University of London, and a very large number of them have turned out earnest Christian men in connection with the various churches to which they individually belong. The experience is such as is to my mind very remarkable indeed.

1407. With regard to the philosophical examination, is that one-sided but yet far ranging philosophical study which you speak of as being required for the London University, carried on at your college?

It is carried on at our college.

1408. Do you teach all the German authors?

We teach them in connection with sober English teachers if I may use the expression; that is to say, our men have a good training in Butler to begin with, and other writers whose ethical treatises seem to me an anticipation of many of the German mistakes; but in point of fact, our course is short, and the tendency of the University of London is, owing to circumstances, to my mind one-sided: I seek, however, to meet it as I best can, by supplementing it, in fact, with other reading.

1409. The tendency of the University of London is, I suppose, rather to exclude the religious view?

I do not think that that is the motive.

1410. But that is the result?

They do not recognise the religious element at all, and to that extent they exclude it. My belief is that they have rather selected the positive philosophy, if I may call it so, because of its novelty, and because the other systems are represented in the older Universities. There is perhaps the feeling that they ought to take up what is neglected elsewhere. I believe that that has weighed far more (I must in justice say so) than any feeling in relation to religion. So far

far as I have seen the working of the Senate, I believe there is a conscientious care not to mix up religious questions either on the one side or the other. Rev. *J. Angus*, D.D. 7th March 1871.

1411. Either negatively or positively?
Either negatively or positively.

The Witness is directed to withdraw.

MR. CHARLES SAVILE ROUNDELL, is called in; and Examined, as follows:

1412. YOU are a Fellow of Merton, I believe? Mr. *C. S. Roundell.*
I am.

1413. Are you a tutor?
I am not; I am a non-resident fellow.

1414. You have paid a great deal of attention, I believe, to this question of University tests?
I have, from the beginning.

1415. And you are strongly in favour of their being removed?
I am.

1416. You have taken part in the agitation at the University of Oxford for that purpose, have you not?
I have.

1417. Your views, I suppose, go to the extent of removing not only the tests aimed at in the present Bill, but also those relating to clerical fellowships?
Certainly; but I consider the two subjects as distinct, and they stand upon different grounds.

1418. In what point of view do you make that distinction?
Chiefly on this ground, that really the latter involves many ulterior consequences which are bound up with the future of the University; I consider that the Universities are now in a transition state, and that the question of the clerical restrictions upon the fellowships involves considerations which are very much mixed up with the future relation of the colleges to the University; I would wish also to state, from a long experience in my own college, and from what I have heard in other colleges, that I have the strongest possible opinion of the practical mischief of these clerical restrictions.

1419. As to clerical fellowships?
Of the clerical restrictions upon the fellowships, not only because they are distinctly opposed to the interests of the college as a place of learning and education, but also because I think they are distinctly injurious to the interests of the Church itself.

1420. On what ground do you make the latter statement?
I would adopt on that point the statement made in the Report of the University Commissioners of 1852, to which the then Bishop of Norwich, Dr. Hinds, was a party, and to which also the present Archbishop of Canterbury and Dr. Jeune, afterwards Bishop of Peterborough, were parties, with respect to the broad objection to holding out pecuniary advantages for the profession of holy orders; the scandal to the University and to the Church, of holding out pecuniary inducements to the profession of holy orders; and I should wish to add this, which was stated to me when I was at Oxford a short time ago by a person of great experience in the University, who told me that he had personal knowledge of cases (they did not go, I think, beyond two or three) in which persons of distinctly not moral character were willing to profess an intention to take orders in order to qualify themselves for these clerical fellowships, which, of course, are not subject to the same severe competition as others.

1421. Does not the same principle apply to all money payments in the service of the Church?
Certainly; but in this case there are the other consequences affecting the interest

Mr. *C. S. Roundell.*

7th March 1871.

interest of the college itself as a place of learning and education. For instance, if you are restricted in the choice of your fellows, you naturally have an inferior set of men; not because they are going to be clergymen, for it would be the same thing if you had restrictions to the professions of medicine or law, but because any restriction of the kind in a competitive examination involves an intellectually inferior class of men. I speak from my experience of my own college when I say that we have found ourselves seriously hampered by having these restrictions.

1422. Do you consider that superiority in a competitive examination is the only qualification for which the parents of this country should look in the teachers to whom their sons are sent?

I am prepared to say, from my long experience of Oxford, that as a rule the able men are moral men; I do not wish to press it too far; but I think the moral men are more or less reverential and religious-minded men; at any rate, I am quite prepared to say that it is most distinctly to the injury of a college to be forced to elect men of inferior mental calibre, considering what the objects of a college are.

1423. You mean by the expression inferior mental calibre, that they are inferior to some person who might otherwise possibly have been obtained; that they are inferior comparatively?

I mean that they are distinctly inferior; not only inferior in mental calibre, but (of course I am only speaking as a rule, subject to exceptions) inferior also in force of character and in ability to take a useful part as members of the governing body of the college.

1424. You are speaking as a rule?

I am speaking as a rule, but subject to but few exceptions.

1425. You say that the class who desire to have clerical fellowships are persons inferior in character and intellectual qualifications?

I would rather say that they are inferior in intellectual qualifications, and therefore not unfrequently in character; but I particularly wish to speak with great respect of those, for instance, who have been elected at my own college on that footing. I am not wishing to make any sweeping assertion in disparagement of such men.

1426. But saving these exceptions, as a rule you adhere to the statement that those who desire to enter holy orders are persons of inferior intellectual qualifications and moral character?

I fear that I have not expressed myself very distinctly; that is distinctly not what I intended to convey to the Committee. If your Lordship would allow me to explain, I especially took care to say that my objection was not levelled against candidates for holy orders, but against any restriction whatever, whether it were as to intending clergymen, or doctors or lawyers.

1427. But did you not say that the candidates for clerical fellowships were persons who were to be described as of inferior character and qualifications?

I did; but if your Lordship would allow me, I would rather put first the inferiority of intellectual qualifications; and I say that, as a rule, the inferiority in the other respect is a frequent consequence.

1428. But upon what ground do you think that persons who desire to hold clerical fellowships are persons of inferior qualifications?

Because the inducement to hold an open fellowship in the University is so very much greater. Many a man who intends to take orders, whether from conscientious motives or otherwise, will decline to pledge himself some years beforehand to do so. That is a frequent case.

1429. On what grounds do you desire tests to be abolished?

I should say, generally, because I consider them part of an obsolete machinery which is wholly unsuited to the present times; and, besides that, the obvious objection of the snare that they hold out to tender consciences, and the injustice which they cause in the exclusion of Dissenters, and the consequent injury to learning and education in the University.

1430. Do you consider that the obtaining of religious teachers is any part of the object of a college foundation at Oxford?

I am quite prepared to say that I contemplated that, and that I do not myself apprehend any difficulty in that respect.

1431. But

1431. But then your view is, that those who are competitively the best in Greek or Latin, or philosophy, are also the best fitted to be religious teachers?

Certainly, in so far as they are men of general ability, and, as a rule, men of character.

1432. And you think that all persons who are men of ability as shown in examination, will be, as a general rule, the most earnest in religion, and most pure in doctrine?

I should prefer to say this, that when it comes to the appointment of a divinity professor or tutor, other considerations besides merely intellectual considerations come in. It is one thing to elect fellows of a college, and it is quite another thing to select out of those fellows, or out of others, persons to occupy the position of teachers, especially teachers of religion.

1433. But under the system as you contemplate it, the persons who will select the teachers in divinity, will be fellows who have been elected themselves without the slightest reference to their doctrinal belief?

That would be so; but then I must say, broadly, that what I trust to there is the operation of the public opinion of the place in the University and in the colleges; if you cannot trust that I do not see that you can trust anything.

1434. You mean the public opinion as controlling the fellows in their elections of these divinity teachers?

I mean the public opinion that prevails in the University and the colleges, as it does in society generally.

1435. Is there not at the present moment, or has there not been recently at Oxford, a considerable section of public opinion by no means favourable to the teaching of Christianity, as it is commonly understood?

That, of course, would depend upon the view in which the question is put; if it is put to me as a question whether the course of teaching is calculated to make against a particular party in the Church, then I say, yes; but if I am asked whether its result is to bring about unbelief, I say, no.

1436. You think that there has been no tendency towards unbelief in any part of the Oxford teaching of recent years?

If you will pardon my saying so, that is putting it very broadly the question as to "no tendency towards unbelief" I hardly know how to answer, but I would say, generally, that I consider that the general tendency of the teaching at Oxford has not had the effect of producing unbelief.

1437. But I was asking with reference to the security on which you rely, namely, the operation of public opinion, whether you do not think there is or has been a public opinion in Oxford, not that of the majority, but of an influential minority, which would justify fellows in electing for religious teachers, persons recommended to them rather by negative freedom from certain beliefs which are much opposed, than by any religious or doctrinal qualification?

Indeed, I think not. Negative qualifications would scarcely be a recommendation for a religious teacher.

1438. You do not think that party spirit has ever run to that height?

No; I think I may say, positively, not.

1439. You confined the necessity of entertaining these other considerations to the actual divinity teachers? Do you not think the tutors have considerable influence in their general teaching, and especially in their teaching of philosophy, upon the religious views and feelings of those committed to their care?

They certainly have an influence, but not an influence which is essential for the purposes of this question; I think, that is to say, that the real influences upon religious opinion at the University comes rather from outside the college and the University, than from the college itself; in other words, that those influences are personal and individual, and, therefore, that it depends entirely upon the person who is capable of exercising them; and if I might give instances of what I am saying, to show you that I am not one-sided, I would mention three names as those of persons who have exercised, or are exercising probably, the greatest religious influence in Oxford, Dr. Newman, Mr. Jowett, and Mr. Liddon; it is entirely a question of the personal character of the individual man?

Mr. *C. S. Roundell.*

7th March 1871.

1440. And is that an influence which is exercised by personal contact, or by any action through the University chairs or pulpits?

Partly, no doubt, through the University pulpit, but I should say more through personal influence and contact, and also from the general respect which is entertained for a man of that high character in the Universities.

1441. Some apprehension has been expressed by some witnesses that owing to the scanty number of those by whom the smaller colleges are governed, it might be possible that a distinctly anti-religious teaching, or at all events a teaching distinctly opposed to the teaching of the Church of England, might be established in one of the colleges as a sort of propagating centre; do you think there is any possibility of that?

I really think that that is simply a chimæra; I had anticipated that question, and I will endeavour to answer it specifically, to show what it really practically means; and if I may be allowed to make an observation, which applies to a great many of the objections brought against this change, they look very formidable as bugbears in the distance, but if they are reduced to their practical circumstances they assume much smaller dimensions. In this case fellows are now elected to a college after a strict competitive examination, which is open to all Bachelors of Arts. In the University that election by merit, instituted by the ordinances which followed the Act of 1854, has been almost uniformly acted up to in the most loyal way in Oxford; therefore, you have to suppose that a number of men of a particular religious persuasion, we will say clever Jews, stand for a fellowship at a particular small college, and that these men contrive to stand first in the examinations year after year, and to obtain a majority; that is making a very great assumption; what is much more likely to be the case is this, that men not of one religious denomination, but men of several denominations, would become fellows of a college; but in that case the unity of opinion which your Lordship's question assumes falls to the ground.

1442. Might there not be a unity of antipathy?

I should not apprehend it. Then, of course, if there is that difference of denominations in the college, it stands to reason that, as we see in the country at large, the Church of England will hold its own where others are divided. But I will go further; I will assume that you have got a majority of Jews in a college. What can they do? they can do nothing. The maintenance of the chapel services is secured by Act of Parliament.

1443. But that Act of Parliament it is now proposed to repeal?

But your Lordship will permit me to say that that part of the Act of Uniformity is not included in the Schedule to this Bill.

1444. Will you give me your view as to the bearing of the Schedule of this Bill?

I think what I have before me is Ruffhead's edition, because the Act of Uniformity is described as the 13th and 14th of Charles 2, and in the edition referred to in the Schedule it is the 14th. There is no title page; I think it is as I have stated, that the sections of the Act of Uniformity which refer to public worship, are not included in the sections intended to be repealed by the Bill.

1445. Will you refer to section 17 of the book you have in your hand?

The marginal note is "No other form of common prayer is to be openly used in any church or public place."

1446. Do you know whether there is now any law enforcing the maintenance of the service of the Church of England in the chapels of the colleges of the Universities?

That depends, at present, on the Act of Uniformity, and the ordinances of the colleges.

1447. What clause of the Act of Uniformity?

The 17th, I think, which does appear to be included in the Schedule to the Tests Bill.

1448. Will you be good enough to read the 17th section?

"And be it further enacted by the authority aforesaid, that no form or order of common prayers, administration of sacraments, rites, or ceremonies shall be openly

openly used in any church, chapel, or public place of or in any college or hall in either of the Universities, the Colleges of Westminster, Winchester, or Eton, or any of them, other than what is prescribed and appointed to be used in and by the said book." That is the book of common prayer.

Mr. *C. S. Roundell.*
7th March 1871.

1449. That does not provide that the Church of England service should be used in the chapels, but that if any be used it must be that?
It says, "That no form or order of common prayer shall be used other than what is prescribed and appointed by the said book."

1450. That would prevent any other form being used, but it does not enforce any form being used?
May I add one observation upon this question; I think the maintenance of the services of the Church of England in the college chapels stands at present not only upon the Act of Uniformity (I speak of that Act, of course, not with reference to this Bill), but also upon the college ordinances, and the fourth section of the Test Bill, which was introduced, I think, by Sir Roundell Palmer, that "Nothing in this Act shall interfere with or affect, any further or otherwise than is hereby expressly enacted, the system of religious instruction, worship, and discipline which now is or which may hereafter be lawfully established in the said Universities respectively, or in the colleges thereof, or any of them, or the statutes and ordinances of the said Universities and colleges respectively relating to such instruction, worship, and discipline."

1451. But that would be no security for the continuance of the college chapel; it prevents this Act from stopping it, but it would be no security to prevent our hypothetical society of Jews from stopping it?
I think that that may be so.

1452. Are you aware of any other enactment which, in case there was this society of Jews, or what is more probable, in case there was a body of fellows hostile to distinctive religion altogether, would prevent the abolition of the college chapel service?
The ordinances of the college would have to be repealed.

1453. That could be done without the authority of Parliament, I believe?
It could be done without the authority of Parliament, with the consent of the Privy Council, if not with the consent of the Visitor, which is a moot point.

1454. Should you consider it obnoxious to your views of religious liberty that a more distinct security for the continuance of the chapel service should be given?
I have no objection whatever to the maintenance of the chapel services on the broad ground that if this change is being made, the vested interests, so to speak, of the Church should be tenderly dealt with. The Church is in possession, and I see no objection myself, and I do not think that the majority of the friends of the Bill would see any objection, to a provision for the maintenance of the chapel services, on the broad ground that so long as the Church of England remains the Established Church, we may practically expect that these college services will be retained as they are.

1455. Two years ago there was a Bill which made the abolition of tests optional; do you prefer the Bill in its present form to that?
Decidedly; I should strongly object to a permissive Bill.

1456. On what ground?
On the general ground that it would introduce an unseemly controversial element into the colleges, and into the election for fellowships; the election for a fellowship would no longer be determined by strict considerations of intellectual merit, but by the disturbing influence of the candidate belonging to this or that party in the Church, and so on.

1457. And that view would apply to any proposal to remit any controversial part of the statutes to the judgment of the fellows of the college?
It would, so far as regards principles which ought to be settled once for all by the Legislature.

1458. You would prefer that anything to be done in that respect should be done by Parliament?
I should prefer it, but I think that is absolutely necessary, in the interests of the

Mr. C. S. Roundell. 7th March 1871.

the University and the colleges, and I believe that to be the feeling of several of those at Oxford who are not, or who were not originally and naturally friends to this Bill.

1459. I suppose that would apply also to the question as to whether the head should or should not be a member of the Church of England; you would prefer that that question should be decided by Parliament, and that it should not be decided by the fellows?

Certainly; I think that follows from the application of the principle with respect to the fellows.

1460. You would prefer equally with respect to clerical fellowship that that point should be decided by Parliament?

Certainly.

1461. Because you would think that the agitation produced, and the partisanship aroused by any of these questions being remitted to the fellows, would interfere with the natural action of the place as a place of education?

Entirely so; I feel very strongly that the political and theological agitation which many causes have contributed to stir up within the last 20 years, has been most prejudicial to the proper work of the place; it is a disturbing element which keeps men's minds from their proper work of teaching, and it is much to be desired in all interests that one cares most for that there should be an end to that.

1462. Would your objection to tests extend to any control in the way of prohibition exercised upon the kind of theological or religious teaching given inside the colleges or in the University?

What I contemplate is the maintenance of the University Professors of Divinity, and the establishment in the colleges of lectures on Divinity; I do not see the need of going beyond that.

1463. Supposing that done, would you have any objections to provisions which should make it impossible for these lecturers and these professors to teach doctrines hostile to Christianity?

I certainly should, because of the door which would be opened to controversy. We, in fact, are dealing with something which is not capable of definition. One man means one thing, and another means another thing, by an attack upon the doctrines of Christianity.

1464. Therefore you would object to any control over the teaching given by those persons?

I am quite content, and I believe that to be the feeling of the great body of the resident authorities at Oxford, professors and tutors, to rest upon the security given by public opinion, and to deprecate any attempted security to be given by Act of Parliament.

1465. But would not that reliance upon public opinion produce precisely that agitation which you deprecate in relation to the fellowships?

I should say not from my experience of Oxford. It is not found in practice that the fact of the members of a college holding widely different opinions in matters of theology, interferes as a rule with the harmony of the college; and, of course, I need not observe that the differences within the Church of England at the present moment, looking to the progress of thought which is going on within it, and the country at large, are quite as great or greater than any to be apprehended as between the Church of England on the one side, and members of other denominations on the other.

1466. Do you not think that the removal of all these securities would result in the establishment of a much sharper voluntary religious organisation within the University?

What I expect would happen would be that the Church of England would practically be left in possession of its present advantages, which are very great and considerable, and that the dissenting bodies, being as I believe earnestly interested in religion, would make provision for the religious teaching of persons of their own persuasion. Then so far from the effect of having the teachers of religion of different schools of opinion in the University being the cause of disharmony, I believe on the other hand (I am only expressing my own opinion)

opinion) that it would tend to bring about a greater tone of moderation in the discussion of theological questions generally, and a feeling of greater mutual respect between the ministers and teachers of the several denominations.

1467. Do you think that the maintenance of any of these college lectureships would be possible, supposing the resident and practically governing body of fellows should happen to consist of four or five men drawn from the most opposite poles of the religious universe?

I distinctly think so from my experience; I have no fear on that score whatever, judging from my experience.

1468. Your experience must necessarily have been limited to the existence of tests?

Yes; but the present system has brought about a divergence of opinion within the Church, which I am inclined to think is as great or greater than anything to be found outside.

1469. That may be, but I suppose the divergence between one party in the Church, and the opposite extreme outside it, is greater than any divergence which can exist between parties within the Church?

Certainly; but still I maintain that the differences within the Church are so great that that is the practical answer to the question put to me.

1470. One of the witnesses put to us a case in which a governing body of five (I am speaking from memory) might consist of a Comtist, a Roman Catholic, a Baptist, and two members of the Church of England; do you think that it is possible that religious teaching could be continued in that college?

I have already endeavoured to express my opinion that that is a mere chimera; I do not think that that state of things is practically possible; I may say, however, that if it does come to that, I, of course, will not flinch from the consequence of saying that the present state of things cannot be continued; but to my mind that is absolutely chimerical.

1471. On the ground of the great predominance of the Church of England?

On the ground of the general hold which religious influences have upon men of high ability and character at the Universities.

1472. But there are men of high ability who are Comtists?

But they are a very small minority.

1473. There are certainly men of high ability who are Baptists and Roman Catholics?

They have to prove their fitness by open competition to enter a college; and I am prepared to say, taking the first instance that your Lordship put, let the Comtists come in the open face of day; if they can make their ground good, well and good; if they cannot, as I think they cannot, they will soon pass away.

1474. But surely it is in the range of possibilities, without any violation of the law of chances, that in a governing body of five, three should be such as I have described?

It is within the range of possibility, but it does not seem to me to be of practical importance with regard to this change. As I say, if things should come to that pass, I do not flinch from saying that they must, but I maintain that they will not.

1475. It merely depends upon the accident of where the intellectual superiority will fall for the moment?

I would rather trust, as I have said before, to the operation of public opinion, and to the ascendency which, in the long run, truth and the teachers of truth will obtain.

1476. Duke of *Somerset.*] Have you with you the petition from Oxford in favour of the Bill?

I have a copy of the petition with me, and an analysis which was made of the signatures to it, which furnishes a very remarkable instance of the opinion entertained by those practically engaged in the work of education in the University and colleges as to the operation of the abolition of tests.

Mr. C. S. Roundell. 7th March 1871.

1477. Would you state to us how far those who are engaged in the practical education of the University are in favour of it, and how far they are against it?

I beg to quote a short analysis, which was made for me in 1868, of the signatures to the residents' petition. The petition was limited to "heads of colleges, professors, lecturers, tutors, and resident fellows of colleges, engaged in the education of the University of Oxford, or the colleges and halls." The petition, which was presented to both Houses of Parliament, was signed by 80 persons, including three heads of houses and ten professors. Looking to the educational state of the colleges, out of 105 college tutors and lecturers no less than 60—being a decided majority—signed the petition; and of the remaining 45 who did not sign, several were known to be favourable to the general principle of the Bill. It was found that it was not only by the more junior amongst the tutors and lecturers that the petition was so strongly supported, for amongst the signatures will be found those of ten senior tutors of their colleges, the whole number of educational colleges in the University being only 18. In four colleges, namely, Merton, Corpus, Trinity, and New, the petition is signed by the whole educational staff. In four others, Balliol, Oriel, Lincoln, and Worcester, it is signed by a majority of at least two-thirds. There are only six colleges in which there is a majority who have not signed the petition, and it is not to be inferred that all those who withheld their signatures were averse to the passing of the measure.

1478. You referred to the Commission of 1852, I think, in your evidence just now?

Yes.

1479. The Report of that Commission was signed, I believe, by the present Archbishop of Canterbury, by the Bishop of Norwich, by Francis Jeune, who was afterwards a Bishop, and by Mr. Henry G. Liddell, who was afterwards Dean of Christ Church?

It was so, the Bishop of Norwich at that time being Dr. Hinds.

1480. I find that from their statement it appears that after all the precaution of the imposition of these tests for the sake of teaching theology, the theological education of the University is said by them not to thrive; to be, in fact, very inefficient and imperfect?

It was so.

1481. Therefore, as regards the very object that has been in view, at least one great object, namely, theological teaching, the University seems to have failed in that object?

It has.

1482. I find that they state that "the theological studies languish"; that "few of the clergy apply themselves to the study of Hebrew; that ecclesiastical history, except in some detached portions, is unknown to the great majority; that the history of doctrines has scarcely been treated in this country"; and that "it may be even stated that the Epistles of St. Paul have not been studied critically by the great bulk of those in Orders"; do you remember that passage in the Report?

I do not remember that passage.

1483. *Chairman.*] Is it true now?

Speaking with diffidence as a non-resident, I should hope that things are somewhat improved now, though they are not yet what they ought to be by any means.

1484. Duke of *Somerset.*] You hope that since that Report was written, the theological studies have somewhat improved?

That is my impression.

1485. But it would seem to show that, even for the purpose of the teaching of theology, these tests have not effected the great object that was desired when they were imposed?

Certainly they have not.

1486. I did not quite clearly understand whether you would object to any test for the professors of divinity in the University?

If I were to express my own opinion broadly, I should say decidedly that I should not wish to see the study of theology cramped and injured, as I think it

it would be by a system of tests. Upon the question whether I think that as things now are some securities should be retained, I am not prepared to speak so strongly; but at the present moment the professorships of theology are fenced about by securities which in fact practically confine them, not only to members, but to clergymen of the Church of England, by the fact that either canonries of Christ Church are attached to them, or in some cases the candidate must have taken a divinity degree, which implies priest's orders, or he must be elected by persons who are either in priests' orders or in deacons' orders at least.

1487. Then I understand that you would not object to the divinity professors being required to be persons who have taken some orders in the Church?

I should not, subject to what I first said as to my general opinion; speaking practically, I should think it a fair provision to make under the present circumstances.

1488. Now, as regards the theological teaching in the colleges, would you allow the same rule there, that the teachers should be members of the Church of England?

Yes; I should certainly contemplate the colleges providing, as they have the means to do under their ordinances, not only for the maintenance of the chapel services, but also for lecturers in divinity; I distinctly contemplate those two things. I do not necessarily mean lecturers in each college. I have regard to the practice, now prevalent in Oxford, of groups of colleges arranging their lectures in combination.

1489. It has been stated to this Committee that the teaching of the University, which, as is shown in this Report, seems to have failed in theology, has taken another course, and has succeeded in teaching the young men infidelity; I wish to ask you what your opinion is about the state of religious opinion amongst the young men at Oxford at present?

It is exceedingly difficult, of course, to answer that question, because hardly anyone, and least of all myself, has the opportunity of doing more than express his own impression; and all that I can state would be my own impression, supported by the confirmation which it has received from conversation with others at the University; and speaking generally, while, of course, I admit that the tendency of the present time in the University, as in the country at large, is towards liberty of thought in matters of religion as well as in everything else, I distinctly am of opinion that it does not, as is supposed, bring about a state of unbelief; in other words, my opinion upon the whole is, as far as I can judge, that although there is considerable doubt and perplexity, which, of course, one must admit at the present day, the great majority of the better men of the place are reverential aud well-disposed towards religion, and would not think of doing anything against religion; therefore, on the whole, my own impression is very clear that that which may have been put forward as the present state of Oxford is unfounded, and probably I might say that it arises from a generalization made from one or two conspicuous instances; as regards the whole of the Liberal party in the place, I most distinctly, as far as I can judge, deny it.

1490. I think you have stated that your belief is that the Nonconformist influence, if there were many Nonconformists in the University, would not be unfavourable to religion?

I think that it would most distinctly be an influence of the opposite character. I think that an influx of Dissenters into the Universities would be the best safeguard you could have for the maintenance of religious influences, partly because we know that the Dissenters care very much for the religious training of their people, and partly also, because, coming as they would from a class socially below that which principally resorts to the University at present, coming from more frugal homes where there is a higher standard of morality, I should anticipate the best results to the morality of the University generally, and consequently to the religious spirit of the place, from a considerable influx of Dissenters. If I might be allowed, I would refer to the recent change which has been made in the admission of unattached students, who are for the most part poor men, such as I have described. Great apprehensions were entertained at the time when that change was proposed as to the effect upon the morality of the place; these apprehensions, as I have reason to know from recent inquiry, have been entirely discredited. I consider that the element of unattached

Mr. *C. S. Roundell*
7th March 1871.

students is an unmixed good to the University, not only as bringing persons of different classes socially into contact, but because also those who are so admitted are more industrious and come from more frugal homes.

1491. If the University of Oxford is to be at the head of the education of this country, is it not in your opinion essential that these tests should be removed?

Absolutely essential; I consider that they are now a great stumbling block; first of all they are creating a feeling of intense bitterness towards the Church. The Church is made, through the operation of this controversy, to appear to be a spoke in the wheel of the work of the place; that is to say, of the progress of learning and education; and I need not say that that bitterness towards the Church passes insensibly into a feeling of bitterness towards religion.

1492. I think you refered, also, to the clerical fellowships as being objectionable; and I observe that this report, to which I have before referred, equally states that it is more desirable to remove the obligation upon the fellows of taking orders?

It does.

1493. They state "at the time when most of the college statutes were framed, the orders in question were the orders of the Roman Catholic Church," and that the clerical fellows were required in great measure for purposes which are now illegal, such as saying masses for the dead?

Yes.

1494. *Chairman.*] It is not true that the statutes under which they are now bound were made in the times of the Roman Catholic Church, is it?

They are now subject to the recent ordinances of the colleges.

1495. Duke of *Somerset.*] You have referred to a number of signatures of eminent men who are in favour of removing tests; do you think that any concession of the principle of the Bill would be satisfactory or would have any chance of remaining undisturbed?

I think I must speak quite positively there. Grievously as we feel the evil of the present system, we would rather wait indefinitely than make any concession of the principle of the abolition of tests; in saying this I am giving, not only the opinion of the University supporters of the Bill, but also, I believe, the feeling of the Nonconformists outside the University.

1496. Is there anything more that you wish to add to the evidence you have given upon that subject?

No.

1497. Was that petition which you read in favour of this Bill, or in favour of a previous Bill?

It was expressed in general terms; perhaps I had better read the prayer of the petition to show what was intended. The paragraph immediately before the prayer is this: "That in the opinion of your petitioners these tests might be removed without injury to the Church, and without prejudice to the religious character of academical education. Your petitioners therefore pray your Right Honourable House to take such measures that without any interference with the religious worship of the University or its colleges, with religious instruction, or with the religious intercourse between tutor and pupil, the tests, except in the cases of persons taking degrees in theology, may cease to be imposed, and the full benefits, honours, and emoluments of the University may be rendered accessible to the whole nation.

1498. Lord *Lyveden.*] What is the date of that petition?

One thousand eight hundred and sixty-eight.

1499. Duke of *Somerset.*] Does that petition go as far as the heads of colleges?

This is general as to headships of colleges; there is no special mention of them.

1500. Earl *Stanhope.*] I think you said that three heads had signed it?

Three heads of houses signed the petition.

1501. Lord *Colchester*.] As regards the question of which we have heard so much, with respect to the snare to the conscience occasioned by the tests, I suppose you referred chiefly on that point to the case of persons who having come up as Members of the Church of England have acquired some hesitation as to signature in the course of their University studies?

I referred generally to the point of requiring a solemn subscription to an immense number of theological points, many of which are more or less controverted.

1502. What I meant was, that as persons who are avowedly not Members of the Church of England are at present practically, as well as theoretically, excluded, the persons to whose conscience the subscription would be a snare, would be the sons of churchmen or men educated as churchmen, but who had acquired some scruples in the course of the thought and study which they had been exposed to in the University?

I would say so with some slight exception; I did not speak of acquiring scruples, but I look upon a scrupulous conscience as being incident to every man of thoughtful mind.

1503. That objection you would apply rather to the subscription to the Thirty-nine Articles which contain a vast mass of theological propositions, than to any shorter and more definite expression of opinion, such as a general declaration of membership of the Church of England?

That objection would apply more as your Lordship says; of course other objections would apply to the other test.

1504. That objection applies most strongly, I suppose, to tests taken just after the examination for the final schools, on obtaining a Fellowship or taking a Masters degree?

It applies primarily to that, but I would not wish to limit its operation.

1505. Do you think that if tests applied only to certain colleges or certain endowments, they could be so far taken honestly, that those who had no objection to them would seek out those colleges in which tests were still in force, whilst there would be plenty of scope in the open colleges for those who objected to tests?

The effect of that would be, I feel sure, to flood those colleges with the most inferior men.

1506. You mean to flood the close colleges?

Yes, the colleges in which the tests were retained.

1507. You think that some injury would be occasioned in that way to a few colleges; but at all events the injury would not be to those individuals who objected to tests, nor would it be to the general character of the Universities.

I should think it would be most prejudicial to the interests of the University to have any sharp line of that kind drawn.

1508. Therefore you consider that in this matter of tests it is essential to have a most rigid uniformity?

I base myself upon the national character of the Universities and the colleges, and I can admit no exception.

1509. Do you think that in a nation in which divided opinions prevail as to the value of denominational or undenominational education, any system can be really national in which allowance is not made for those two divided opinions?

I am expressing my own opinion; I am distinctly of opinion that that would not be so at the Universities.

1510. Therefore, you think that a system would be most purely national which represented the ascendancy of one form of opinion upon this subject?

I think the most serious injury is done by looking at this University question, in the first instance, from the side of the Church of England; what I look at first is the University as a place of learning and education; and the Church of England only comes in secondarily; it is a most important element, and I myself would be most regardful of its interests, but it only comes in secondarily.

Mr. *C. S. Roundell.*

7th March 1871.

1511. I think in the statutes the usual phrase is that the colleges are places of "religion and learning?"

"Of learning and education;" but it is added, I think, "of religion" too.

1512. I think the order in which I have mentioned them is the order in some of the statutes?

The Act of 1854, says "Whereas it is expedient for the advancement of religion and learning." The college ordinances (to take the case of the election of a fellow) speak of the college as a place of "religion, learning and education."

1513. In the view of those who framed the statutes, at any rate the religious side occurred to them at least simultaneously with that of the learning?

I do not hesitate to say (of course I am only expressing my own opinion) that after the discussions which have taken place since upon educational questions, such as elementary education and otherwise, the same language would not be held now, and that implies no disrespect whatever to religion.

1514. I was reminded of that clause by what you said about the unseemly controversial element which would be introduced by making the tests optional. If fellowships were open to persons of all opinions, do you not think that the fellows of a college might possibly be justified under those words in voting according to their theological opinions in a way that they are not tempted to do now?

I should rely there, as I have already said, upon the loyal adherence of the colleges, as a rule, at Oxford, to the principle of election by merit.

1515. You think that that adherence would be the same in spite of the words in the ordinances to which you have referred, if candidates of far greater divergence of religious opinion appeared than have appeared hitherto?

I should be rather inclined to say that upon the whole the tendency of the electors would be not only rather, but distinctly, adverse to a candidate who was known to hold extreme opinions.

1516. Do you not fear that that tendency prevailing amongst some, if not all the fellows, might lead to precisely that controversy between those who did and those who did not entertain those views, which you deprecated in relation to the optional abolition of tests?

In my own opinion I rely upon the continuance of the state of feeling which may be observed to exist at present in the colleges.

1517. You have no fear of a controversial element in the election of the heads of colleges or in the election of professors, if candidates of even more widely divergent theological opinions than at present, were to appear, and if there were any prospect of dispute between the rival sects at the Universities?

I would not wish to say that I think there is no fear of that, but, as I have already said, I, for my own part, feel clear that the mischief would not arise.

1518. I think you stated that you considered the University to be in a transition state at present?

Yes.

1519. Do you agree with the opinion which has been expressed before this Committee, that supposing this change is desirable, it would be best carried out with reference to the whole state of the University by another University Commission?

I do not think that. I think that this question stands by itself, and that it is of the most urgent importance to the University to have this question settled.

1520. Do you not think that any change might be required at the same time, either with respect to the election of the heads by the governing bodies of the colleges, or with respect to the patronage of the colleges, or with respect to the episcopal visitation?

No.

1521. You think that the colleges might retain their patronage of livings, and that the episcopal visitation need not be altered, and that the power on the part

part of the colleges of electing the visitor which some colleges now possess, might still be retained if this Bill passed?

As to the election of the visitor, only one college, namely, Balliol, has the power of choosing its own visitor. I think that is not injurious. As regards the college benefices, they would easily be provided for specially; they are not a necessary part of the college establishment.

1522. Do you not think that the whole constitution of the University has hitherto had a strong ecclesiastical tendency, and that it would require to be recast in order to make the Bill work?

So far as the question may point to the question of clerical fellowships, I certainly do think that we want a considerable change.

1523. You do not consider this Bill to be a final measure then?

I consider that it will be final as regards tests, but I consider that the University is in a state of transition, and that it will be necessary for many reasons to make considerable changes in it. I may instance one which intelligent persons of all parties at Oxford now give in their adhesion to, and that is the desirability of putting an end to the sinecure fellowships, or rather of limiting the sinecure fellowships, and of introducing as a rule the terminable principle.

1524. And you do not think that that is a question which ought to be considered with reference to this question; and with reference to the possible safeguards which some have suggested?

I do not, certainly; it is a most difficult question, but it is not ripe for settlement yet.

1525. You spoke of the agitations which have prevailed for 20 years on subjects connected with the position of the Church of England in the University; do you think that this Bill will close more controversies than it may possibly open?

I really think so, upon the general ground that it would be such a great thing to make the University cease to be the focus of theological controversy.

1526. Do you consider the general principle of the connection of the Church with the University a bad one?

I do; perhaps your Lordship will allow me to explain what I mean; my view is clearly this, let us make the very best that we can of the University as a place of learning and education, and let us be sure that if we make the University thoroughly efficient, if we introduce a spirit of work, then we shall have taken the best means of promoting the interests of religion; I do not mean the interests of the Church of England, I say the interests of religion; however, I think also that the interest of the Church of England would be best promoted by that course.

1527. You mean that as the Church of England would always have a large practical connection with the University: anything which benefits the University must benefit the Church of England, indirectly?

I mean that so far as the Church of England has greater breadth and comprehensiveness and toleration for liberty of thought than the Dissenting denominations, so far it would be likely to commend itself to the educated minds of the country.

1528. Have you no fear that anything which tended to divide the Universities from the Church of England would tend to deprive it of that breadth?

No.

1529. Do you think that the infusion into the universities and the colleges of persons of narrow theological views connected with the Dissenting bodies might lead to some attacks upon the studies of the place?

I think unquestionably the result will be as your Lordship says; we must expect that narrow views will be brought up; but then I maintain that there is the greatest national good in bringing up to the Universities, and within the influence of the highest education of the country, men whose limited education is at present a very serious evil.

1530. You have no fear, from your own point of view, of education being narrowed by a combination between Dissenters of very narrow views, and a

Mr. *C. S. Roundell.* 7th March 1871.

certain number of Churchmen of very narrow views, who are to be found at present at Oxford?

Of course there is a risk of that, but I am content, as I have said all along, to trust to the operation of natural causes, and of right principles.

1531. I think you stated that you expected great benefit to the spirit of work from the coming up of men, by means of this Bill, who had been brought up under influences favourable to morality and industry in arduous circumstances at home?

Yes.

1532. And you thought that the admission of Dissenters would bring up a large number of such men?

I do; I think, in particular from what I have heard with respect to the north of England, especially Lancashire and Yorkshire, that it would distinctly have the effect of bringing up a great number of the sons of Dissenting ministers and teachers.

1533. You do not approach the question from the same point of view as one of the north country Members, who dwelt upon the importance of this Bill in the House of Commons, on the ground of the number of men whose fathers possessed great wealth, who were at present excluded by the tests; you may, perhaps, recollect that he drew a picture of that kind in the House of Commons?

I think also that it would be of the greatest possible national advantage to bring up the sons of the plutocracy; but the benefit would be wholly on their side; they would receive everything from the University, and contribute nothing.

1534. But they are not the persons from whom you expect this encouragement to industry?

Certainly not.

1535. Lord *Rosebery.*] With regard to the very portentous hypothetical case which the noble Chairman put, when he said that there might very likely be a Comtist, a Roman Catholic, a Baptist, and two members of the Church of England in a governing body of five, would the present test be likely to keep out the Comtist?

It would not.

1536. Do you think the Comtist would be likely to regard the present religious instruction as now given as a matter of very little importance from his own point of view?

I think so; I think he would acquiesce in it as something with which he had not much to do.

1537. Would it be possible for a Roman Catholic in any conceivable state of public university opinion, to introduce Roman Catholic teaching at Oxford?

Only so far as he was a man of great natural force of character and ability, like Dr. Newman; I should certainly welcome at Oxford the presence and teaching of remarkable men like Dr. Newman.

1538. As regards the Baptists, do you think, as far as we know the opinion of Dissenters, the Baptists would be likely to care to interfere with the present Divine instruction given at Oxford, with the exception, perhaps, of the lecture on the Thirty-nine Articles?

I think not; first of all you have to assume that the Baptist would be in a majority, and secondly that they would be uninfluenced by the historical associations and spirit of the place, and that they would take up an aggressive attitude, which I do not in the least believe would be the case.

1539. Do you think, in the event of their all being opposed to the religious instruction now given, there would be any possibility of an amalgamation between those three elements which have been referred to?

Certainly not; that would be the strength of the position of the Church, besides its own intrinsic merit.

1540. You think that a Roman Catholic or Baptist would prefer uniting with members of the Church of England to uniting with Comtists or unbelievers?

Yes.

1541. Do you attach any importance to the Article lecture given in colleges as a means of religious instruction?
Not the least.

1542. Do you think that any one does at Oxford?
Certainly not. Those lectures are regarded as absolutely nil.

1543. In fact they are merely a sort of roll-call at some colleges?
Yes.

1544. You are a Fellow of Merton, I think?
Yes.

1545. As regards the clerical fellowships at that college, they have been felt to have been a certain hardship, have they not?
Yes.

1546. And a great disadvantage to the teaching staff of the college?
That is so. We have been very fortunate at Merton, on the whole. We have not suffered hitherto, but at the same time I think I am justified in stating that at the last election, in December, when we had to elect to one open fellowship and one close, that is to say, clerical fellowship, there were members of the examining body who would have recommended the college not to elect, because the clerical candidates were not fit to be elected. And I have heard the same thing in at least one other college.

1547. Was not a petition against them sent up by the fellows of Merton a short time ago?
There is an application at the present time before the Privy Council from Merton College.

1548. Was not a petition sent up to Parliament two or three years ago. I think I have read a reference to one in some pamphlet?
I think there has only been an application to the Privy Council. We have not petitioned Parliament upon the subject.

1549. Earl *Cowper.*] Have you turned your attention to providing any safeguards for the maintenance of religious instruction other than the present tests?
I have contemplated the maintenance, as the Bill provides, of the divinity professorships, a provision for the establishment of divinity lecturers in the colleges, and for the maintenance of the chapel services; and I consider that that would be amply sufficient.

1550. Do you think that all those are provided in the Bill now?
The divinity professorships are expressly excepted from the Bill. The power of colleges to appoint divinity lecturers is given, I think I may say, by the ordinances of all the colleges. With respect to the third point of the maintenance of the chapel services, I am afraid I was mistaken in my first apprehension of the bearing of this Bill upon the act of uniformity; I suppose that that must rest upon the college ordinances, together with Clause 4 of this Bill, the college ordinances not being alterable without the consent of the Privy Council, and I must assume (for it is a disputed point) of the Visitor also.

1551. With regard to the attendance at the chapel, that in many cases is voluntary now?
That is the tendency now; at Balliol and New College, and I think one or two other colleges the attendance is already made voluntary.

1552. Do you approve of the system of voluntary attendance?
I do, simply because I think the compulsory attendance does not conduce to the object desired, that is to say, to religious influences; as I have said all along, I would rather trust to the free spontaneous operation of the better influences of the place and of individuals.

1553. With the exception of the three safeguards you have suggested, you do not think that anything else would be desirable?
I think not.

1554. Earl *Stanhope.*] You stated in the first part of your examination that you thought the maintenance of tests was very injurious to the interests of the

Mr. *C. S. Roundell.*
7th March 1871.

colleges themselves; may we not however suppose cases where the abrogation of tests would be very detrimental; for instance, if we take the case you have frequently referred to in the course of your answers, of a great number of fellows being elected without tests, and belonging to different creeds, would not a parent, being anxious for the religious teaching of his son, be inclined to hesitate before he sent him to a college where he might doubt whether that religious teaching could be obtained?

In answer to that question, I should wish to say this; I think religious teaching would be an object with many parents, but I would wish to qualify it with this observation, that in the case of one of the great public schools, and also of one of the foremost colleges in Oxford, in each of which cases a person prominently connected with these bodies was supposed to be unorthodox, each of them being first-rate places of education, no practical difference was made in the popularity of the school and college. I would wish further to say, with regard to the general bearing of the question, that I am inclined to think that the University will be what the country is, and that we have no more reason to expect any of these strange combinations of particular parties in a college than we have in the country at large; if we have it in the country at large we must bow to the will of the majority; I am content to take up that ground.

1555. Although there might not be in the election of fellows without tests any great preponderance of any one party adverse to the Church, might there not be so many of the different parties as to cause a relaxation of the religious teaching of the college, or to lead at least to a popular impression that it would be relaxed?

My own impression is distinctly to the contrary, judging from my experience at Oxford.

1556. We were speaking of the interests of a college; if then it came to be thought that the fellows elected without tests were discordant in their religious opinions, and were likely to neglect the religious teaching of the college, would not a parent be disinclined to send his son to that college, and consequently might not the interests of that college be very greatly affected?

Certainly, I think if it did come to pass that a college either passed into the hands of persons who were indifferent to religion, or that the governing body was made up of persons holding a variety of religious opinions, belonging to a variety of denominations, I should expect a certain number of parents more or less to consider that an objection, but then I would wish to fall back upon what I have endeavoured to state as my belief that in practice that state of things will not arise.

1557. Should you see any objection to a legislative enactment that whatever might be the opinions or the wishes of the fellows for the time being, public worship should always take place in the college chapel according to the rites of the Church of England?

I would beg to answer that question by repeating what I have already stated, that I think the sure ground to take is this, that so long as the Church of England is the Established Church of the country, so long will it prevail at the Universities, and that its preponderance at the Universities will stand or fall with the Establishment; beyond that I am not concerned to look for the purposes of this question.

1558. Earl *Beauchamp.*] With reference to your last answer, supposing such a thing were to happen as the disestablishment of the Church of England, it must begin somewhere, and would not the giving up of the public worship according to the rites of the Church of England in the college chapels be a commencement of that very process?

I am all along proceeding upon the assumption that the maintenance of the chapel services will be preserved, because it will require a change of the law to discontinue them; supposing for a moment that the majority of the fellows of a college come to be Baptists, it will not be competent for them to alter their ordinance enjoining the maintenance of the services of the Church of England without having recourse to external authority, namely, the Privy Council, and most probably the Visitor.

1559. But I apprehend that it will be quite open to a majority of a college to suspend the chapel services altogether?

It

It is expressly provided for by the college ordinances, and you cannot get over that. The college ordinances secure the maintenance of the chapel services.

1560. But then, as I apprehend, the college ordinances merely rest upon the consent of the Visitor and the consent of the Privy Council?
That is so.

1561. *Chairman.*] The necessity for the consent of the Visitor is very doubtful indeed?
Yes.

1562. Earl *Beauchamp.*] There are two colleges, if not three: Jesus, Worcester, and, I think, Pembroke, which have lay Visitors, and Balliol elects its own Visitor. If a Visitor was elected by a bare majority of the fellows, the consent of the Visitor would be dependent upon the views of the bare majority who had elected him, and therefore the consent of the Visitor to an alteration of the college ordinances would be dependent merely upon the majority of the fellows. Then you come to the Privy Council. The Privy Council is, practically, the government of the day. Therefore the only security you propose to retain is the government of the day, if there is a majority of the fellows hostile to the Church of England?
I quite admit that it may be so put, but I wish to say, that so large a question as this, must be, to my mind, a question which could not be dealt with by a mere majority of the college.

1563. That is a consideration which might influence your own vote as a member of a college society, but when we are called upon to frame laws we have to consider the consequences that may occur under them.
I am speaking of the view which persons in the position of a Visitor, or a member of the Privy Council for the time being, would be likely to take upon a great public question of this nature; and I wish to convey my strong opinion that this would be treated as a great public question, which could not be dealt with in a corner. It would practically be, so to speak, the disestablishment of the Church in that particular college.

1564. Then I understand you to say that if a bare majority of the Fellows were hostile to the Church of England, and had elected a layman as Visitor who was not a member of the Church of England, the contingency of the disconnection of that particular college from the Church of England is not a remote one, or at all events is a possibility?
Certainly it is a possibility; but, as I said, a Visitor of a college is likely to be a man of considerable weight and authority, and I should not expect that such a person would be willing to deal perfunctorily or cursorily with a question of this magnitude.

1565. If he were a man of strong opinions he might think it right to use his weight of authority in a manner hostile to the Church?
Still he would be responsible to public opinion.

1566. *Chairman.*] In answer to one of the questions you expressed an opinion that great as the injury was which you thought tests inflicted upon the University, it would be wiser to wait an indefinite time rather than to sanction any abandonment of the principle on which the Bill was founded?
Yes.

1567. Such declarations are of importance, because if misunderstood they are apt to be an impediment to legislation. What do you consider to be the principle of the Bill?
The abolition of tests, except in the case of Divinity Professorships?

1568. The abolition of tests of all kinds?
Yes.

1569. And you would rather forego the Bill than submit to the maintenance of the least amount of those tests?
Yes, certainly; believing, as I have said, that what is really needed for the proper maintenance of religion in the place will be amply secured by the means to which I have referred.

Mr. *C. S. Roundell.* 7th March 1871.

1570. But if the question is put before you, Whether you would prefer to forego the Bill for the present, or submit to a small application of the principle of tests, you distinctly prefer to abandon the Bill altogether?

I do, distinctly; and I think I may take upon myself to say that that will be the opinion of the supporters of the Bill at Oxford, and of the Nonconformist supporters of it outside. In the interest of the University, and of academical peace and usefulness, we desire a settlement of the tests question.

1571. You spoke of a majority of the tutors having petitioned in favour of the Bill; is it not the case that a majority of the members of Congregation petitioned against it?

That may be so; I was not aware of the fact.

The Witness was ordered to withdraw.

MR. CHARLES APPLETON, called in; and further Examined.

Mr. *C. Appleton.*

1572. *Chairman.*] I understand that there are some additions which you desire to make to the evidence you gave here when you attended the Committee on a previous occasion?

That is so. Perhaps I may best make my meaning clear if your Lordship will allow me to recapitulate very shortly what I then meant to say. I first meant to say, respecting the application of tests at present, that the men affected by them or by their abolition were a small number; secondly, that the influences under which these men came were not influences exercised by persons who might be restrained from exercising such influences by law, but were influences partaking more of the nature of general causes, to which Acts of Parliament do not apply; and thirdly, with respect to the operation of tests, I meant to say that they do not at present act in preventing a destruction of belief, but they intervene at the most inopportune moment in preventing its natural re-construction. Then as to the question of safeguards with which I believe I am right in saying this Committee is mainly concerned; I mentioned three which I thought existed at the present time in Oxford quite independently of the tests, and which would continue to exist if tests were abolished. The first and most important of those, in my opinion, is the common feeling of honour existing among tutors of colleges, which would prevent a man, who was slightly older than his pupil, or even a great deal older than his pupil, from abusing his power over that pupil's mind. I think so long as the tutors and fellows of colleges are gentlemen, we may rest assured that that restraint will operate. The second safeguard which I conceived to exist already, was the increasing practice of dividing the branches of knowledge, so that a philosophical question, such as a question in moral philosophy, may be decided, and men are educated to decide it without bringing in any religious considerations. The third safeguard was, that there already existed in Oxford a number of religious influences quite independent of the University organization. I alluded, in the evidence which I gave before, to the immense influence exercised by Mr. Liddon, and I also added to that the considerable religious influence which is exercised upon undergraduates belonging to a different school of thought by the parochial clergy, to whom they are very frequently introduced when they come up to Oxford, and who take very great care that their religious life is not impaired. These three safeguards I conceive to exist already. I wish, in my present evidence, to add to my description of these safeguards a description of a new safeguard, which I think would be introduced by the mere fact of the abolition of tests. That safeguard, I conceive, would consist in a large infusion in the course of time of Roman Catholics and Protestant Dissenters into the Universities.

1573. In what sense do you think that their presence would be a safeguard?

Both religiously and theologically. I think if there were a large number of Dissenters in Oxford, their presence would practically be the introduction to the University of persons who had been much more carefully trained, in a religious point of view, than members of the Church of England of the same age; and I think also that they would have been much more carefully trained theologically. These opinions I have arrived at gradually, from my experience

of

of Dissenters; but within the last two or three days I have endeavoured to correct and verify them, by speaking to various persons who I thought would have most knowledge upon this subject, and they confirm, in a great measure, the view which I now express.

1574. Do you think that persons brought up in a comparatively narrow school of religious belief, and suddenly plunged into the din of controversy, are more likely than those who have been brought up in a less narrow school to maintain their balance?

In the first place they would not necessarily be plunged into an atmosphere of controversy, and in the second all Dissenters are not brought up in a very narrow school of belief. But that which is the peculiarity of Dissenting orthodoxy, as opposed to the orthodoxy of the Church of England, the introduction of which would be valuable in Oxford, is, I think, this—that the orthodoxy of Dissenters, so far as I am aware, consists mainly in a right opinion respecting facts of present religious experience rather than respecting facts of a historical character, or of a purely speculative character; and I conceive that orthodoxy of that kind respecting Justification by Faith, the Doctrines of Grace, and the like, which the Dissenters lay greater stress upon than other parts of Christianity, is not likely to be affected so much by the revolutionary ideas which I spoke of in my former evidence. As a matter of fact, any person who is conversant with the writings of Dissenting Ministers at the present time will say that it is remarkable to what an extent Dissenting Ministers read, study, and understand the critical theology and philosophy of Germany, without having their orthodoxy impaired thereby at all.

1575. Is it not historically the fact, that persons of the belief and the religious habits which belong to the religious Dissenters have naturally run into Unitarianism?

That is the case historically with regard to the old Presbyterians. I do not think that at the present time and among the Dissenters of the present century, there is so much tendency towards the Unitarian belief as there is among the members of the Church of England. Certainly there is not so much amongst Dissenters who are theological students, and study German and other theology, as amongst the very few English clergymen who do the same. There is, of course, a great deal of difference between one Dissenting minister and another; but taking them as a whole, and taking the main classes of Dissenters in England, the Baptists, the Independents, and the Wesleyans, I should say that there was not amongst them the tendency, or any thing like the tendency to Unitarianism, which, under the name of undogmatic Christianity, exists in the Church of England.

1576. Your view is that religious education amongst the laity and clergy of the Church of England is more careless and more imperfect than it is among the Dissenting sects?

In my last answer I was speaking rather of theological instruction as distinguished from religious education, but I also think there is a great deal more care taken among the Dissenting sects to propagate and strengthen the religious life than amongst the corresponding members of the Church of England. They have the requisite machinery for the purpose, and they make a demand of greater spiritual attainment on persons who desire to become members, as they are called, of the Church than we do.

1577. Should you anticipate a large accession of Roman Catholics to the Universities in case this Bill was passed?

Not unless the Roman Catholic authorities were to declare in favour of it, and I hardly think they would do so unless the Roman Catholics were allowed to have a seminary of their own in the University. I have consulted Roman Catholics on that point, and they confirm that view; they are not allowed in any large number to be spread broadcast over the University. At this moment a certain number of Roman Catholics go to the University. There were 15 when I left the University. There are generally not quite so many, and they are all what may be called isolated cases. There are about ten or a dozen now.

1578. Under this Bill, and under a new Statute which has lately passed Convocation, a Roman Catholic college could be established, could it not?

I was not contemplating the establishment of a Roman Catholic college, or any institution affiliated to or incorporated in the University; I was contem-

Mr. C. *Appleton.*

7th March 1871.

plating a seminary, which should be merely a private and unprotected establishment, supported by the religionists to which it belonged, and dependent for its success on the ordinary operation of the law of supply and demand; of course, the members of such an establishment (this is the case in foreign universities as well) should not be *eo ipso* members of the University, but in the position of what are now called the non-adscripts, that is, persons who do not belong to any college whatever.

1579. Do you not think that the persons who will take advantage of this Bill will be much more the Unitarians and persons lying outside the bodies of orthodox Dissenters, than those latter?

I do not think so upon the whole. The Unitarians have one or two very good colleges; there is one in Gordon-square; Owens College, Manchester, is another where the Unitarian tendency is very strong. I do not think they have, at any rate, uttered their grievance so strongly as the orthodox Dissenters; at the same time, I should not be at all afraid of the introduction of Unitarians into Oxford; I think they are a very intelligent and religious body of Christians, and would form an excellent element in the University.

1580. Then so far from deprecating controversy or the agitation of religious questions, you would accept it with pleasure, as a means of keeping alive religious life in the University?

Not exactly that. I do not imagine that the infusion of Dissenters and Roman Catholics would make the University a hotbed of controversy; quite the reverse; I am thinking rather of the superior theological interest which Dissenters and Roman Catholics have, of the greater study they would probably devote to theology, and of their social influence both theologically and religiously, but especially religiously.

1581. Do you not think that the presence of so many opposing bodies in the Universities must do one of two things; either destroy any belief in definite dogma altogether, or else very much sharpen the organisation of the rival sects?

I do not suppose it would do either myself; one of my reasons for wishing them to be introduced is for the sake of the preservation of definiteness in the Christian doctrine, not of its destruction. I think that which we are in danger of now is what is called in common language "undogmatic Christianity," which is a Christianity from which all definite statements have been eliminated. I think the introduction into the University of persons theologically trained with distinct opinions, and who have been taught the grounds of their opinions, would have the effect, by means of social influences and otherwise, of getting rid of that evil.

1582. Do you not think the shaking together of young minds of various educations would have the effect of grinding off the distinctive forms of religious belief?

I think not; I have never noticed that result from the coming together of persons of different religious opinions.

1583. The Roman Catholics themselves are very nervous of that in relation to primary education; they dislike mixed schools, do they not?

They do.

1584. Their judgment in such matters is usually acute?

I am not sure that what would apply to them would necessarily apply to the Church of England or to English theology and religion generally; I am not sure again, that they are right in the fears that they entertain.

1585. Have you any knowledge of what the result of that kind of mixture has been in Germany?

I have only a very slight knowledge; I should say that, so far as I know German students, and I have known a great many, they were accustomed to mix socially in the most satisfactory manner, and that there was no tendency to grind off the corners of belief, whilst there was a tendency to promote charity between one set of believers and another.

1586. Without diminishing in any degree the definiteness of the belief itself?

I think so.

1587. Lord *Houghton.*] You think that the tendency of this measure and of similar measures might be, in some degree, to assimilate our Universities more to the German Universities?

Not necessarily; the amalgamation of different sets of believers in the German Universities has only been tried, so far as I know, in two, namely, Bonn and Tübingen. I do not think that if either Oxford and Cambridge were to undertake such an experiment, that alone would be at all necessarily assimilating themselves to the German Universities. At the same time, Oxford and Cambridge are becoming more like the German Universities every day, because the college system is gradually giving way to the force of circumstances. The experiment I have mentioned would be a measure to deal with circumstances as they are, and as they are gradually changing, and so far it may be said to be assimilating the English to the German Universities.

1588. I understood you to say that you would be in favour of a more distinct recognition of precise religious teaching by the Universities, by the establishment of religious faculties of different denominations?

Yes, I should be in favour of that.

1589. Therefore you do not think that what you contemplated in your evidence would in any way lead to a disregard of religious teaching in the Universities?

No, quite the contrary; it would be a concentration of the religious elements in the country upon the Universities.

1590. Lord *Rosebery.*] You think that the Roman Catholics will only be allowed by their authorities to go to a few colleges at Oxford, if I rightly understood you?

As a matter of fact, they do at the present moment go in very small numbers to Oxford, and of course to very few colleges. I mentioned that 12 or 15 Roman Catholics go to Oxford at present; as far as I have been able to inquire and find out, I should say that the Roman Catholics generally would not be educated at Oxford unless their authorities permitted them to be educated there; I do not think that their authorities would permit them to be educated there unless they had the domestic system which generally goes by the name of a Seminary, in which the religious life and teaching could be properly attended to.

1591. There are four in Christ Church now; you would suppose that they have come more or less without the permission of their authorities?

I imagine so; but I have no special knowledge of their circumstances.

1592. Lord *Stanley of Alderley.*] Do you know whether many parents have sent their sons to Cambridge instead of to Oxford, in consequence of the spread of unbelief there?

I cannot say that I know of any at all; I know very little of Cambridge, and therefore I cannot say that I have any data for forming an opinion upon that point. I have understood that there are a great many more Dissenters at Cambridge than at Oxford, and arguing from that fact, I should say that the Dissenting families send their sons to Cambridge in preference to Oxford.

1593. *Chairman.*] That is partly owing to the fact that the tests on undergraduates were removed at Cambridge much earlier than at Oxford, is it not?

Yes.

1594. With regard to the Final School, upon which you gave some evidence when you were here last, is it your opinion that any portion of the evil of the unsettling of belief which it produces results from the young men not having had time enough to carry their studies to a sufficient width, and to include the study of a sufficient number of schools of philosophy?

I should say, as an abstract question, that it would be very desirable that they should have double the time for study that they have now; but, as a matter of fact, I do not see any possibility of extending the time; it is a matter of money. It would be impossible for a student to spend more than four and a half unproductive years at college.

1595. He could not spend more than that time in the study of philosophy; but you might have one school for philosophy only, and a student might give less time to other subjects?

Mr. *C. Appleton.*

7th March 1871.

The result of that would be a very one-sided education. A mere training in philosophy, without history, and without philology, would, in my opinion, have a very bad effect upon the mind.

1596. History has already had to be relegated to a school of its own, has it not?

There has been an agitation in Oxford for breaking up the Final School, which is composed of history, philosophy, and philology; but I believe there has been a very strong resistance to the measure, and I am not at all aware that it is likely to be carried out. The desire to break up the Final School, I think, was first expressed by what is denominated the Church party in Oxford, because they desired to exclude philosophy from the studies which were necessary for a first class; that has been one of the make-shifts which has been used to obviate the evils which I have already described.

1597. Are you at all acquainted with the universities of Belgium?

Not at all. I know two German universities exceedingly well; but only two.

1598. Those are Tübingen and Bonn, are they not?

No, Heidelberg and Berlin. I have been at both those universities myself, and studied there, and therefore I know them more intimately than the others. I only know Tübingen and Bonn from what I have read in books, or heard from persons who have been there. It is a well-known fact that there are double faculties of theology in those two universities.

1599. To the universities at which you have been the Roman Catholics did not come, did they?

At Heidelberg they do. The State of Baden is divided between a Roman Catholic and a Protestant population, and Roman Catholic students do come to some extent to Heidelberg; but there is a provision at Freiburg, also in Baden, where there is a purely Roman Catholic university, for the Roman Catholic population; so that Heidelberg, though it belongs to a mixed State, is not really a representative of the mixed system.

1600. The Roman Catholic authorities discourage the mixture as much as possible, do they not?

They do.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Friday next, at Twelve o'clock.

Die Veneris, 10° *Martii*, 1871.

LORDS PRESENT:

Duke of SOMERSET.	Lord COLCHESTER.
Marquess of SALISBURY.	Lord ROSEBERY.
Earl STANHOPE.	Lord STANLEY OF ALDERLEY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl of MORLEY.	Lord HOUGHTON.
Earl BEAUCHAMP.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

The REVEREND WILLIAM INCE, is called in; and Examined, as follows:

Rev. *W. Ince.*

10th March 1871.

1601. *Chairman.*] YOU are a Fellow of Exeter College?
Yes.

1602. And Sub-Rector?
Yes.

1603. I believe you have paid a great deal of attention to this Bill?
Yes, I have taken a great interest in the consideration of it.

1604. And you are familiar with its provisions?
Yes.

1605. Are you of opinion that there is any way by which Dissenters can be admitted to the emoluments and honours connected with fellowships in colleges, and yet proper precautions be taken for preventing the religious teaching becoming in consequence indistinct, or ceasing to be given altogether?
If some definite distinction were made between fellowships and tutorships by making distinct classes of fellowships, I think it might be possible that some precautions might be taken.

1606. You think that the tutor has considerable influence upon the religious teaching of the college?
He is brought so closely into connection with the undergraduates in his college, that he must have very considerable influence.

1607. Do you think that his power of influencing them arises out of his lectures, or simply out of the close communication into which he is brought with them at other times than the lecture hour?
It is the result of a combination of the two.

1608. It has been given in evidence to us that in very large colleges, such as Trinity College, Cambridge, the communication between the tutor and the pupil upon religious matters is of the smallest possible character; does that remark apply to colleges of smaller extent?
In Oxford, so far as my experience goes, the custom is different in each college. In some of the colleges the distinct office of tutor is kept up, and each man when he has matriculated is consigned to a particular tutor, and remains under his more especial care the whole time of his course, and is therefore brought under much more direct influence from that tutor. In other colleges I believe that plan is not any longer adhered to; but in Exeter College, for instance, every man is assigned to one particular tutor.

Rev. *W. Ince.*

10th March 1871.

1609. Then the influence of the tutor is, in your judgment, more personal, and arising from his official character, than directly exercised through his official acts?

It is exercised more personally than through his lectures.

1610. Religion does not enter very largely as a portion of the tutorial teaching of the colleges?

There are Divinity lectures in each college.

1611. How many are there in the week?

The number varies considerably at different colleges.

1612. How many are there at Exeter?

Six or seven in the week, but some alteration has been caused now by the introduction of the new school of theology, for which a course of special lectures is to be provided. For many years the custom was that each tutor had a Divinity lecture.

1613. That school of theology is not compulsory in any way, is it?

No, it is perfectly optional; it is on the same footing as the four older schools.

1614. But the colleges esteem it to be their duty to prepare young men for it?

Yes, where there are any number of undergraduates wishing to prepare themselves for that examination, but the school is at present so entirely in its infancy that the numbers are small. There are symptoms, however, in many of the colleges of an increase in the number of men proposing to devote themselves to theological study for that school.

1615. This Divinity lecture would break down altogether, would it not, if there were not a sufficient number of fellows belonging to the Church of England?

Yes, I think it would entirely.

1616. How many fellows have you at Exeter?

Our full number is now 15.

1617. How many are resident?

The number in residence is 10.

1618. Do they all take part in the government of the college?

All but two take part in the education and tuition of the college.

1619. How many of these fellows deliver Divinity lectures?

Three, I think.

1620. With whom lies the management of the discipline in reference to the college chapel?

Practically with the sub-rector, who holds the same office there as the dean does in many other colleges.

1621. By whom is the sub-rector appointed?

By all those fellows who are of any degree not lower than that of Master of Arts, which is almost the entire college. Sometimes, perhaps, a junior fellow may not be an elector, but practically it is the whole body of the college.

1622. If a distinction were drawn as to tests between the tutorships and the fellowships of your college, the comparative number that would be open would be very small?

Yes; our numbers used to be 25, but they were reduced by the changes made in 1854 to 15, on the calculation that, allowing for two or three becoming superannuated, and some being young men who had been elected as probationers, the fellows would not be more than sufficient for the educational staff of the college.

1623. Have the fellows who are not taking, or have not taken part in the educational work of the college, the same influence over the young men as the others?

No, their influence is very much less.

1624. They mix with the undergraduates less?
Yes, very much less.

1625. To what extent does the head take part in the education of the college?
He gives no actual lectures; his direct teaching is only in the form of preaching sermons in the college chapel.

1626. Has he any direct communication with the young men?
He sees a great deal of them.

1627. How many undergraduates have you at Exeter?
About 160 or 170.

1628. Does the head individually see much of so large a number of men?
Yes, he makes a special point of doing so.

1629. Is the attendance at your chapel compulsory?
Yes, it is what would be called compulsory, according to the ordinary distinction between compulsory and voluntary; it is managed upon rather an elastic system, without any very rigid rule; it is left a great deal to the discretion of the administrator for the time being.

1630. A young man is held to be bound to attend?
Yes.

1631. Do you attach great value to it as a portion of the college education?
I think very definite influences of a religious character result from it; I judge that from the observations the men afterwards make sometimes after taking their degree, or it may be many years later, if one sees them, they speak with reference to the impressions made upon them, and the influence exercised by that means.

1632. Your judgment would be that if the service in the college chapel should cease, the effect would be to deteriorate the religious tone of the college?
I think it would do so, distinctly.

1633. It would be in the power of a majority of the fellows, I suppose, if they were hostile or indifferent to the Church of England, by a new statute, to make the service in the college chapel to cease?
Yes, if they had the power of altering the existing statute.

1634. The only security lies in the statutes of the college?
At present it lies in the provisions of the Act of Uniformity, and in the statutes of the college.

1635. Are you aware of any provision of the Act of Uniformity enforcing the celebration of the service of the Church of England in the college chapels?
I understand that the Act of Uniformity requires that the service of the Church of England shall be used in the college chapels.

1636. You are not yourself conversant with the language of that Act, are you?
No, not with minuteness.

1637. The statutes of the Exeter College can be altered as in other colleges I suppose, by a college meeting, with the sanction of the Queen in Council?
By two-thirds of the college, with the consent of the visitor.

1638. The consent of the visitor is necessary?
Yes.

1639. Is that definitely provided?
Yes.

1640. Earl *Stanhope.*] Who is the visitor of your college?
The Bishop of Exeter, by right of his see.

1641. *Chairman.*] Have you many exhibitions at Exeter?
About 10, I think.

1642. Are there any conditions attached to those exhibitions?
Yes;

Rev. *W. Ince.*
10th March 1871.

Yes; the conditions vary; some are local in respect of the place of birth of the holders of them; others specially provide that the person elected shall be a student in Divinity; he is to be examined with regard to his intention of taking Holy Orders.

1643. What is the nature of that examination which ascertains whether he has the intention of taking Holy Orders?

It is only a general profession; a general statement by himself that he is a Divinity student, and ultimately wishes to take Orders.

1644. He is simply asked the question?

Yes.

1645. Is any test applied to him before he is admitted to his exhibition?

No.

1646. You take no steps for ascertaining to what church or religious denomination he may belong?

It is virtually and practically known, though no definite question may be put to him.

1647. Supposing a Baptist was to present himself, and to state that it was his intention to go into Orders, should you have any discretion as to refusing him?

No, I believe not.

1648. You would be compelled to accept him?

If he were the best of the candidates who offered, and if he expressed it as his intention to take orders in the Church of England, he would be accepted.

1649. It is Orders in the Church of England that he must take?

Yes; the exhibition I am specially referring to was a late foundation in 1710.

1650. The exhibitioner having been so admitted would be subjected to theological teaching, would he not?

He would be required to attend the ordinary Divinity lectures of the college.

1651. And be subjected to any kind of theological examination?

It would be open to us to subject him to such an examination; the exhibition lasts beyond the period of taking the Bachelor of Arts degree; he would not be allowed to hold it after that period, unless he were then definitely professing himself as a student in Divinity whilst continuing resident in the University.

1652. What is the length of tenure of this exhibition?

It lasts for seven years, but it is seldom, as a fact, held for that time; it is generally vacated within six months or so of taking the Bachelor of Arts degree.

1653. Have you the power of terminating the exhibitioner's tenure in case of any misconduct on his part?

Yes.

1654. In case of any want of proficiency in the studies to which he is specially assigned?

I should imagine we should have that power.

1655. But it has not been exercised within your knowledge?

No.

1656. Do you think that this Act would make any difference in the tenure of these exhibitions?

No, not in the tenure of this special exhibition, for no test, technically so called, is demanded of the candidates, other than a mere verbal profession of the intention to take orders.

1657. Have you seen this particular Bill which is now before Parliament?

Yes.

1658. Have

1658. Have you a copy with you?
I have one before me now.

1659. If you will look at line 20 of page 2, you will see a list of the tests which are not in future to be exacted from persons who are candidates for an office; such a person is not "to subscribe any article or formulary of faith, or to make any declaration, or to take any oath respecting his religious belief or profession, or to conform to any religious observance, or to attend or abstain from attending any form of public worship, or to belong to any specified church, sect, or denomination;" do you not think that that would include that question which you ask of these exhibitioners before they stand?
I presume that it would, if taken strictly. At the time of his admission the exhibitioner would have to profess to belong to some specified church.

1660. This class of exhibitions, you say, is a modern foundation?
It was founded in 1710

1661. It would be a very great hardship, would it not, in your judgment, if they were taken away from the denomination for which they were intended, and given to others?
It would be an unfairness, as it seems to me, but these exhibitions do not occupy a very prominent place in our college. They are nothing in comparison with the scholarships; they are of inferior value, and not so greatly caught at.

1662. There are a considerable number of exhibitions in the University of various foundations, are there not?
Yes, I believe so.

1663. How many scholarships are there in your college?
Twenty-two.

1664. Leading necessarily to fellowships?
No, there is no preference whatever given to the holders of them in the election to fellowships in the college.

1665. For how many years are they tenable?
For five years, on condition of residence.

1666. Is there any preference for any particular denomination with respect to them?
Yes; the holders are required by statute to be members of the Church of England.

1667. Under this Bill they would be all thrown open to all denominations?
Yes.

1668. Are any of them of modern foundation?
They are all of modern foundation in their present form; they were founded by the commutation of 10 of the old fellowships of the college; our number of fellows before 1854 was 25, and eight fellowships were given up in order to found scholarships out of them; two fellowships were thrown into the general stock, and the other eight were turned into scholarships to afford us foundation scholarships, of which we had none before.

1669. The effect of the Bill would be, would it not, to affect very much the power of self government now possessed by the colleges; it would not be possible for them to determine or to indicate to the public the nature of the education, in the highest sense, which they were prepared to give?
I think it would greatly interfere with their general conduct of the education of the college.

1670. Do you think it likely that the tone of particular colleges would be assimilated to that of various sections, or do you think that the more probable result would be, that in consequence of the conflict of various denominations within the walls of the college, the subject of religion would be, to a great extent, banished?
It seems to me that the probability is, that there would be a difference in that respect between the smaller and the larger colleges; in the smaller colleges, if there were two or three influential men of the same general tone of religious thought and opinion, it would give a strong bias to that particular college in that direction; but in a large college, where there were a great many resident

Rev. *W. Ince.*
10th March 1871.

fellows and tutors, with every diversity of religious opinion, I believe the result would be, that the subject of religion would, by common consent, be set aside for the sake of peace and harmony.

1671. They would find themselves in this position, that although each of them might attach a great importance to religion, they would be compelled, in order to avoid constant conflict, to treat it as non-existent altogether?
I believe so; they certainly would not be able to assign to it any definite place in the education given to the undergraduates at the college.

1672. It would be impossible to frame a comprehensive system embracing all beliefs?
Quite impossible.

1673. And consequently if there were a large admixture of fellows holding different opinions, the Divinity lectures, you think, would cease?
I think that that would be the practical result, though it is conceivable that a variety of lectures might be given by some representative of each separate denomination, but I believe that the former would be much the more probable alternative to be adopted.

1674. You mean that on different days of the week the college hall would be occupied by members of different denominations?
Lectures might be given by members of different denominations. Most of the lectures are given now in rooms provided for the purpose, some in the tutor's own rooms.

1675. It is the general experience, is it not, that where a mixed education is attempted of persons differing largely in religious belief, the subject falls into the background?
Yes, I believe so.

1676. Should you not say that that had been the case even under the present system, and that where religious differences within the limits allowed under the existing tests have arisen within a college between two or more influential fellows, and controversy has raged at all fiercely, the effect has been deteriorating to the general religious tone of the undergraduates?
Yes, I think so distinctly.

1677. You think that in principle a great distinction is to be drawn between the admission of Dissenters or persons not agreeing with the Church of England to emoluments and honours, and the admission of them to power and teaching?
Yes.

1678. You say that there are very few sinecure fellowships at your own college; that is not the case, is it, in the University at large?
No; in several of the colleges half, or possibly the majority of the fellows may be non-resident. Some of those would be in colleges where the alteration of the conditions of the tenure of fellowships has not yet had time to take effect, and therefore I am not quite sure that they are perfectly fair specimens of what will be the case 20 years hence.

1679. You mean that the sinecure fellowships tend constantly to diminish under the alterations enacted by the commission?
In some of the larger colleges, like Magdalen College and New College, I believe they do.

1680. Do you coincide with the opinion expressed by some of the witnesses that the studies recently introduced into the final school have had the effect of loosening belief?
Yes, I have had personal experience of that result having followed in some instances.

1681. Among your own pupils?
Yes.

1682. The persons who are so influenced are those who are likely, I suppose, to become the most influential in after times?
They have been undergraduates who have been reading for high honours, and therefore

therefore would naturally, after taking their degree and gaining success in the schools, obtain a fellowship somewhere, and so be put in positions of influence subsequently.

1683. You are of opinion that there has been amongst undergraduates of that class a distinct loosening of belief in recent years?

Yes, my own experience has certainly brought cases of that kind within my knowledge, and I have heard of other cases which I know about of course only indirectly, and not from personal intimacy with the men.

1684. And you attribute that more to the studies of the place than to any external action of causes which are operating upon the rest of the world?

I believe it to be the indication of a general wave of opinion in the world without, but that its effect has been largely increased in the University by the particular direction in which the studies in some of the schools have been turned by, if I may say so, a one-sided study of philosophical subjects.

1685. Do you think that the test has been efficacious in restraining diversities of teaching?

I think it has been efficacious in preventing the open and avowed assertion of sceptical opinions by those holding offices as tutors, and the main influence in that direction I think has been caused by private tutors, many of whom are not brought under the operation of such tests.

1686. If the tests were removed, you think that the tutors and professors to some extent would do what some of the private tutors do now, teach avowedly sceptical opinions?

I think there would be the removal of that sense of inconsistency, and certainly partial dishonesty involved in the public teaching of such opinions, which would be felt now as a restraint.

1687. I understood you to say that some of the private tutors were less under restraint than the tutors of the colleges, and that consequently their teaching was less under control?

Yes, I believe that that has been the case within the experience of the last 10 or 15 years.

1688. And that it has been in some cases more sceptical?

Yes.

1689. Who do you think has the most influence over the young men, the private tutor or the public tutor?

It depends extremely upon the personal character of the tutor.

1690. It depends entirely upon the personal character of the tutors, and is in no way influenced by their respective positions?

In this respect I should think the private tutor has more direct influence upon the formation of opinion, that it is during the later period of the studies of a young man, and just before he is going in for his examination for honours, that he is brought into direct connexion with the private tutor, whereas according to the general system of education in a college he would frequently cease to be attending college lectures at that time.

1691. Supposing that the head were in any case not to be a member of the Church of England, would his power of either propagating his own views or interfering with the Church teaching of the college be considerable?

He has the appointment of tutors.

1692. The uncontrolled appointment of tutors?

That varies in different colleges. With ourselves it is liable to a veto by two-thirds of the fellows.

1693. Can the fellows remove a tutor?

No, only by the practical means of stopping the supplies. They could not cancel the appointment.

1694. But they always have the power of stopping the pay?

Yes, for the determination of the amount of the pay to be given to each tutor is left in the hands of the college, and they might reduce it to a nullity.

1695. Lord *Stanley of Alderley.*] We have been told by other witnesses of various

Rev. *W. Ince.*

10th March 1871.

various French and German philosophical works which the examiners expect the undergraduates to have read, and which have a tendency to increase unbelief; do you know whether they ever examine in the work of Auguste Nicolas, a member of the French bar, which is in the opposite sense?

No, I am not aware of it; I have never known an examination definitely in that sense?

1696. Is the University responsible for the books in which the examiners examine, or which they expect undergraduates to have read?

No, the University does not prescribe any special books for the honours examinations; the use of any modern books has grown up from the custom of the time, and from the recommendations and suggestions which may have been given by tutors. I suppose gradually, in process of time, they influence the examiners, and questions may be set which refer to such particular books, though without any definite naming of writers in the examination questions.

1697. Lord *Houghton.*] Supposing that these examinations in philosophical subjects are advisable, could they be conducted in any other way than by directing attention to the philosophical problems of the time?

There has been a change in the modern mode of conducting these examinations, as compared with the earlier mode when the examination was almost entirely confined to the ancient Greek authors.

1698. Has not the tendency been to give the examination a more practical and a less scholastic character?

Yes, decidedly; and also to allow the subjects themselves to be taught and examined in, not so much with reference to the particular text of a given author; instead of papers being set, as they used to be in old times, when one was called a paper on Plato, another on Aristotle, and so forth, the paper would be described as "moral philosophy" or "the history of philosophy," or "political philosophy," the branch of science generally being specified as the subject of the paper.

1699. Can you at all recall to mind, *not the particular year, but within what* time that change has taken place?

It is since the existence of the present University statute with regard to examinations, which was passed about 1852; that is the statute under which the examinations are conducted.

1700. Can you explain how the examination has been affected by that statute?

Till that time there had only been two main honour schools, one in classics and one in mathematics, just before taking the degree at the end of the third or fourth year of residence. In the alteration made by the statute, an intermediate classical examination was introduced, which embraced the subjects which would technically be included under the name of "scholarships;" and then, just before the period of taking the degree, the choice was offered of four different honour schools, one commonly called the "classical," which is a combination of philosophy and history, sometimes the one element and sometimes the other being the more predominant; another called the school of mathematics, another called the school of law and modern history, and another called the school of natural science, to which has just now been added a fifth, called the school of theology.

1701. In your judgment, do these metaphysical studies bear a disproportionate part to the rest of the University teaching?

The estimate put upon that particular school (the classical school) in which these philosophical subjects form a prominent part of the examination, is much higher than that placed upon any other school. It is practically looked upon as the means of introduction to the majority of the fellowships, and therefore the old fame and credit of the school, as well as the practical benefits accruing from success there, give the greatest influence to that school.

1702. Do you think that the value of these tests, and these restrictions which have gone under the name of tests, has been increased or diminished by this change in the studies of the University?

I believe it has been increased.

1703. Could you explain why you think so?

There being a greater amount of unsettlement of opinion, if there were no public restraint, no sense of inconformity between the public teaching of sceptical opinions, and the position in which the teacher stood, it appears to me that there would be a multiplication of such dubious teaching. Such diversity of opinion on philosophical subjects is the growth of the last 20 years, and certainly, in the earlier period, was not prominent in the University at all.

1704. May not that especial turn of things be of a temporary character, and dependent upon almost accidental influences?

I could hardly prophecy that it would be so.

1705. Do you think that the taste for metapysical speculation in the University will increase, or will it not diminish?

It will certainly not diminish, I think

1706. Might not one effect of the abolition of tests be to render the discussion on those subjects, and the state of mind of the students with regard to those subjects, more similar to the general action of the common world in which those subjects form a certain portion of the interests of educated men, but without in any serious degree influencing either their thoughts or their actions.

I do not think that the alteration of the test would make a very important difference in that respect. The special interest attaching to the pursuit of such studies is owing to the integral part they form of the examinations of the University, and the weight given to them, and the prospect of advantage secured by success in them. It is that which turns many more men into the pursuit of them than would be the case if the same men were away from the University.

1707. Do you not think that these restrictions may have the ordinary effect of all antagonism, namely, that of making the person who is subject to them, or who may possibly lose by their influence, attach an undue importance to the matter, and chafe against the restrictions until he thinks it almost a vital issue?

They no doubt do tend to produce a certain amount of irritation.

1708. When a man finds that his prospects in life are impeded by a certain restriction to which he himself does not attach any great importance, does it not incline him to a general repugnance to the whole system with which those tests are connected?

That has been the practical working of it in some cases which have fallen within my own knowledge.

1709. Therefore, practically, a man might become more irreligious on account of the existence of these University Tests?

He might possibly, with a peculiar temperament of mind, be driven occasionally into a form of bravado and of making exaggerated statements, brought about by that very sense of collision between the recognised restrictions and his own opinions.

1710. Earl *Stanhope*] You have this University Tests Bill before you, I think. Supposing it were the determination of Parliament to pass the leading principle of that Bill, which is the abolition of tests as a necessary condition for academical or University offices, on that supposition are there any clauses which you would practically think desirable to be added as securities for religious teaching?

So far as I understand the bearing of the fourth clause of the Bill, it would not necessarily guarantee the continuance of the religious worship in the chapels of the colleges exclusively according to the rites of the Church of England.

1711. It does not make it imperative?

No.

1712. That you would think desirable?

That I should think desirable; I should think it to be distinctly desirable that it should not be left to the discretion of an existing body of fellows at any time to determine what should be the special mode of religious worship introduced into their chapel.

Rev. *W. Ince.*
10th March 1871.

1713. You think that the Act of Parliament should provide that it should continue to be in accordance with the rites of the Church of England?
Yes.

1714. Have you found that the visitorial power in your college has been often applied to?
Yes; for the introduction of small changes in regard to the distribution of revenues and certain details about smaller points, such as the days of election and the like. Our statutes have been in existence now about 15 years, and we have referred ten or a dozen different points to the visitor during that time for his consent.

1715. But they were not points of teaching?
No, they were not points of any vital importance; they were only points of convenience for the practical working of the college.

1716. How are the proceedings of the college brought before the visitor; is there any necessary report of them, or do they only become reported to him in case of special complaint?
They are only reported to him in case of special complaint.

1717. There is no other practical suggestion that you would wish to make, except with regard to clause 4 in the present Bill?
I have an objection to the inclusion of the word tutorships among those officers from which the restrictions are to be removed. The tutorships are *not* endowments of the colleges at all. The tutor's income is simply derived from the payments of undergraduate students at the time being. It appears to me that it would be an interference with the liberty of a college to prevent its members from determining the conditions on which they would have tutors. If they chose to have tutors all belonging to one special denomination; to retain the tutorships, for instance, to the Church of England, I think the college ought to have perfect liberty so to do, just as a public school or any similar institution would. The tutors of a college are not in any way dependent upon the endowments of a college as tutors, and therefore the educational body for the time being conducting the education of the undergraduate should be allowed to determine what should be the special conditions of the education given in that particular college. We are under no requirement to admit any student who offers himself. The college has a right to say to any man, we will not admit you; indeed if we chose to shut up the college to-morrow, and not to take students at all, there is nothing to prevent our so doing.

1718. You would not think it desirable that Parliament should sanction such a shutting up of a college?
Not in the least; but in regard to the college taking students as commoners, that is entirely discretionary with the college.

1719. It is discretionary now, and you think it ought to be discretionary still?
I think it should be discretionary, and that the determination of the particular mode of the education to be given in each college should be left to the governing body of that college.

1720. Lord *Houghton.*] Are the more uncontrolled opinions which you stated to be entertained by the private tutors as compared with those entertained by the public tutors, owing to the private tutors not taking tests?
I think they are more unrestrainedly set forth in lectures by the private tutors, from the very sense that they are merely private tutors, and that the men come to them voluntarily, and that they are not placed in an official position with regard to them. On that account there is an absence of restraint with regard to the public expression of them.

1721. Do the private tutors take any test whatever?
Not as private tutors; there is no such recognised office.

1722. But before they attain the position which qualifies them to be private tutors, they have taken tests, have they not?
I should think the majority of them have not, for they are mostly the younger men who have recently taken their degree of Bachelor of Arts, and until they arrived at the degree of Master of Arts they would not have taken a test.

1723. Do

1723. Do they belong to a college to which the undergraduate belongs, or may they come from any college?
They may come from any college.

1724. How are they removable or amenable to control?
In no way; they simply set up on their own account; there is no formal appointment.

1725. Then may a young man in your college choose a private tutor for himself from any college?
Yes.

1726. The private tutors, you say, have more influence with the young men than the public tutors?
In the latter part of a student's course I think they have more influence.

1727. Then even now they are subject to that evil influence, if it is an evil influence?
Yes.

1728. This Act would make no difference in that respect?
No, it would make no difference in regard to the private tutors.

1729. You have just now stated a few objections which you think might be remedied by the introduction of some words into various clauses of the Act. Supposing these remedies are not included as you would desire, would you then think it desirable to pass the Act or to reject it?
In my own personal opinion, I should very considerably distinguish between the University and the colleges. I entirely grant the principle of the Bill with regard to the University, but I fail to see its fairness or expediency with regard to the colleges.

1730. But you are not prepared to stand by the present system as being unobjectionable in itself in all respects?
No; the particular form which the tests now take, I think, distinctly, might be altered for the better.

1731. You would make a distinction between the University and the colleges?
Yes; I was thinking of the particular mode of applying a test by requiring subscription to the Thirty-nine Articles.

1732. That you would do away with?
I would rather see it replaced by a different test.

1733. What would you substitute for it?
I have not formed a very positive opinion upon the subject; but it seems to me that something like the declaration which is in use at Cambridge, namely, that the tutor is a *bonâ fide* member of the Church of England, would be preferable.

1734. At Cambridge they do not subscribe the Thirty-nine Articles, do they?
No, not at all.

1735. They only subscribe the declaration, "I am a *bonâ fide* member of the Church of England?"
In order to claim the right to vote as a member of the senate, I believe a Master of Arts has to make a declaration that he is a *bonâ fide* member of the Church of England.

1736. That you think would be a simpler and preferable form to require in the case of the University of Oxford?
Yes, I think it would be preferable to the subscription to the Thirty-nine Articles.

1737. Earl of *Morley.*] I understand you to say that you draw a distinction, with regard to the tests, between the fellows who teach, and the fellows who do not teach in the colleges?
Yes; I think the position of the two is very different, and that that which might be admissible in one case would not be in the other.

Rev. W. Ince. 10th March 1871.

1738. Do you think that that distinction can be maintained; suppose, for instance, one of the fellows resident at the college was a very great Greek scholar, do you think that you would be able to maintain the principle that he should be obliged to take a test before he could be a tutor, if he did not quite agree with the test?

There is a difference between the technical use of the word "tutor," and the technical use of the word "lecturer." I should conceive it to be desirable that as a tutor he should take the test; but I should see no objection whatever to his being a lecturer, if he was a competent Greek scholar, without taking the test.

1739. There may be a number of undergraduates who are Nonconformists; would not that have some effect upon the choice of a tutor; I take that as a possible case for illustration?

Your Lordship refers to a case of undergraduates who might be students in a college, being Nonconformists, and you ask with regard to their being elected fellows afterwards.

1740. I mean with regard to the choice of tutorship, if you confined the choice of tutorship to those who accepted this particular test of being members of the Church of England?

Of course at present the number of Nonconformists is so very small that the amount of exclusion that would be caused in that way would be hardly appreciable.

1741. I understand you to say that you would prefer that the Bill should be left permissive with regard to the colleges, though it should be compulsory with regard to the Universities?

I meant specially permissive with regard to the tutorships.

1742. Do you not think that that would cause a good deal of angry controversy in the case of the election of tutors, and stir up this whole question again.

No; because I believe the different colleges would adopt different systems, and that a college having adopted a recognised system, such as that of adherence to the Church of England, there would be comparatively little bickering or controversy in conducting successive elections, it being understood in the college and the University at large that such was a condition of admission to a tutorship in that particular college.

1743. You compared the case of tutorships to that of commoners; but at your own college, for instance, you cannot enforce any tests upon the commoners, and yet you have the power of rejecting any particular man; would not this Bill, if passed, leave you in the same position with regard to the tutors as you are in now with regard to the commoners?

Yes; but so much would then be left to the various idiosyncracies of the several individual electors to the tutorship.

1744. One word with regard to the religious teaching; do you set a great value upon the amount of religious teaching which is at present given in the different colleges?

It varies very much in different colleges, and the influence in some is very much stronger, so far as I know, than in others.

1745. I suppose a great many of those persons who are excluded by these tests from fellowships and tutorships would be people of very religious character, who would be quite as sorry that religious teaching should be done away with as the existing tutors and fellows?

The experience of the cases of those who have been excluded by the present tests in Oxford is so very small, that I really have no means of judging in regard to that.

1746. At the same time you say that the system of teaching pursued in the schools loosens belief and causes infidelity; do you not think, then, that these tests have been taken without considering the obligations which a person incurs by taking them?

I am afraid it is too true to say that there has been, what would appear to myself individually, a lower tone of morality, in point of honesty, in subscribing the tests in such cases.

1747. Surely

1747. Surely that is a bad thing for the tone of the University, is it not?
I think it is distinctly bad.

1748. Does not it rather create a feeling of animosity against the Church of England?
It creates a feeling of animosity against religion, generally, in those on whom such a difficulty operates.

1749. But it creates a feeling of animosity primarily against the Church of England, I suppose, because the tests are in favour of that Church?
Yes.

1750. Do you not think you could trust to the public opinion in the Universities, as affected by public opinion without them, for keeping up the religious teaching and the chapel services, as being a more efficient safeguard than these tests have proved to be hitherto?
I should be unwilling to have it left to the discretion of frequently three or four very young men in residence, who are the college for the time being, and who might introduce a vital change in the administration of that college if they were not under the restraint of the general Statute.

1751. You think that they could introduce a much greater change, then, than could be introduced now?
Yes.

1752. And you think it would be likely to be introduced?
I think it is quite conceivable that in some of the colleges such changes would be introduced.

1753. As to the chapel services, you said you would not leave it to the individual colleges to choose what service should be held in their chapels, but by the Act of Uniformity I think no services can be held in a college chapel, except the service of the Church of England; would that have any effect upon your opinion?
I understand that this Bill repeals that clause of the Act of Uniformity.

1754. Earl of *Beauchamp.*] May I take it that you do not consider it proper that three or four young men, who obtain a distinction in one or two examinations, should be allowed to change the destinies of a college?
Yes; I should think it would be very unjust to the college if they did.

1755. I think you stated that you were in favour of doing away with the tests as regards the University; does that apply to University professorships as well as to the degree of Masters of Arts?
I would rather see, in regard to the professorships, some general declaration of belief in the Christian faith.

1756. And to carry that a little further you would, of course, object very strongly to the removal of tests from Professorships of Divinity?
Yes, most decidedly.

1757. You were asked, I think, whether if a person found his prospects in life impaired by restrictions, he would not view those restrictions with a general repugnance; is not that argument equally true when applied, not only to tests, but also to any of the Ten Commandments. A person who found his prospects in life impaired by a rigid adherence to the Eighth Commandment would view that Eighth Commandment with very great repugnance, would he not?
I presume that would be the view of all transgressors of law.

1758. Do you think men would be likely to become more honest if the Eighth Commandment were abolished?
Certainly not. I presume that the offenders against a law feel the greatest enmity to the law.

1759. In reference to the changes in the examination for the classical school that were made about the year 1852, is it not the case that before that time the examination was upon ancient philosophical authors, illustrated by modern works, and not an examination into the philosophical problems of the day?
That was the case with the older examination before 1852.

Rev. *W. Ince.*
10th March 1871.

1760. But under the present system of examination, the field of inquiry ranges over the whole subject of metaphysical speculation, does it not?
Yes.

1761. And that at the same time is still under the classical school?
Yes; it is part of the *literæ humaniores* school.

1762. Is that change warranted by the Statute of 1852; or is it an excresence that has grown out in practice?
The actual practice of the examination has been rather beyond the letter of the Statute. It has been greatly determined by the examiners from time to time.

1763. Lord *Colchester.*] You were asked some questions about the endowments in your own college; I think your college was one of the first which reformed its statutes under the commission, was it not?
Yes; it was one of three which made their own statutes.

1764. And consequently, altogether the changes introduced into your college were much less than they were in others; for instance, you have some local scholarships connected with the Diocese of Exeter, have you not?
Part of the scholarships were retained, with a preference for the Diocese of Exeter.

1765. And also you have one fellowship, I think, specially for the chaplain?
There is a chaplain fellowship, which is in the gift of the Dean and Chapter of Exeter.

1766. Do you attach much importance to that fellowship as securing a person in the governing body of the college, who would be fit to conduct Divinity instruction, supposing tests generally were swept away?
Such a chaplain fellow would most undoubtedly be used for that purpose then. The present chaplain takes no part in the actual religious lectures in the college.

1767. What was the cause of the exhibitions you referred to being generally vacated so long before they are necessarily vacated?
They were vacated by non-residence. A condition of the holding the exhibition is, the holder's residing. They last for seven years, if the exhibitioner is resident during the whole of that time.

1768. I think you mentioned these exhibitions being recent endowments. Have you many post-Reformation endowments in Exeter?
Five-sixths of our present endowments are later than the Reformation.

1769. Should you consider it both desirable and important that if such a Bill as this were passed, in general a distinction should be drawn between the pre-Reformation and the post-Reformation endowments?
I think it might be fair so to do, but I confess I do not see a practical plan by which it might be carried out, as the endowments have been thrown together very much.

1770. Suppose all separate colleges or separate fellowships founded since the Reformation were exempted from the operation of the Bill, would it not give free scope both to those who wished and to those who did not wish for an education restrained by tests?
The different endowments have been so fused together by later arrangements, that it would be extremely difficult to point out what fellowships were supported by old pre-Reformation endowments and what were supported by the later ones.

1771. Is that one of the points on which it would be difficult to legislate, with regard to tests, without touching other arrangements of the University?
Yes.

1772. Should you say that there are many points upon which this question of tests touched deeply the general system of the University, which has been constructed upon the view that the tests have for some time existed?
Yes, undoubtedly, all the arrangements in regard to the teaching of theology, the University sermons, and such like.

1773. So

1773. So that supposing a great change is necessary, it would be highly desirable if it could be connected with a view of the general state of things at Oxford, would it not, rather than be treated in this isolated manner?
Your Lordship refers to the endowments of the whole University.

1774. Should you not think that if some such measure as this were to be passed, it should be connected with the general question of any changes required in the constitution of Oxford?
They would naturally go together, I think, as part of the same scheme.

1775. I mean, that the constitution of Oxford has been thoroughly identified with its connection with the Church of England, and such a change as this must put the institutions upon a totally new footing?
It would change the constitution of the Convocation by the introduction of a number of members into it who were not members of the Church of England.

1776. Can you explain exactly the new School of Theology to which you have referred; is it established upon the same footing as the School of Mathematics, the School of Law and Modern History, and the School of Natural Science?
Yes.

1777. I suppose you consider, with the Commission of 1852, that it is a very desirable thing that the study of theology should be largely carried on at the Universities?
Yes, because so many students take Holy Orders.

1778. Do you consider that it is a benefit to the country that those who are about to take Holy Orders should be men of University education, rather than otherwise?
I think it would be one of the greatest losses to the Church if her clergy should cease to be educated at the Universities.

1779. And without some safeguards, the theological study at the Universities may be somewhat impaired, may it not?
The actual theological studies pursued in the School of Theology must, by the terms of the statute, be in harmony with the theology of the Church of England.

1780. But you are aware that proposals have been made to separate even degrees in Divinity from tests?
Yes.

1781. Do you not think that if a wholesale abolition of all restrictions whatever were carried out, the spirit of the place might tend to further changes?
Yes, because persons taking such degrees would be admissible to professorships, and in that position they might determine the course of instruction, and also the course of examination subsequently.

1782. Is it the general opinion in Oxford, that the effect of the proceedings of the Commission has been to diminish sinecure fellowships very greatly; is not that a point upon which there is much difference of opinion?
I think there is some diversity of opinion, but I am not sure that I apprehend the point of your Lordship's question quite rightly.

1783. The opinion which you stated is a very moot point, is it not, in Oxford, as to the effect of the opening of fellowships in enforcing residence?
The opening of fellowships and the withdrawing of the restriction of taking orders has undoubtedly led to a great deal of non-residence; but there has been much more demand for teachers, caused by the educational wants under the altered state of things, which has found employment for a great many more fellows than were so employed before.

1784. Are you of the opinion of some persons, that those who obtain open fellowships are more likely to reside in London for the purpose of pursuing other careers than the fellows who were elected before these recent changes?
Yes; at present, if they are not going ultimately to take Holy Orders, there seems no career before them at Oxford after they have spent a few years as tutors or lecturers?

1785. The persons, therefore, whom you are referring to, are those who hold sinecure fellowships?
Yes, on leaving residence in the University.

Rev. *W. Ince.*

10th March 1871.

1786. With regard to the School of Philosophy to which so much allusion has been made, you state that you consider the present study one-sided?
Yes, I think practically it is so.

1787. What leads to one side of the subject, in your opinion, being investigated rather than the other; I mean one particular side?
I suppose it has been due to the influence of the teachers.

1788. The personal influences of the teachers?
The particular choice of books and authors.

1789. I forget whether you have had anything at all of late years to do with these examinations?
I was examiner about four years ago.

1790. Should you say that the change you referred to, namely, giving the study of modern authors the principal place, instead of the study of ancient authors, dates as far back as the Statute of 1852, or that it is quite of recent growth?
It dates as far back as that, although it has been increasing and developing of late years.

1791. Originally the study of Plato, and Aristotle, and Butler, as the principal works, was merely supplemented by references to later works of philosophy, written by modern authors, was it not?
Yes; there was very little supplemented from modern authors.

1792. Previous to 1852?
Previous to 1852.

1793. But should you not say that up to six or seven years ago the ancient authors, with the addition of Butler, were, as it were, the kernel, and the rest the appendage?
I should think that the change had taken place earlier than six or seven years ago.

1794. But not to the extent to which it is stated to be carried at present by witnesses who have described the existing state of things?
No; that, I presume, is because more books have been written by those authors and writers, which are more abundantly studied.

1795. Then, in your opinion, that change is owing less to anything in the statute than to the personal influences of particular examiners?
Of particular examiners and teachers, private tutors in many cases; no change whatever has been made in the statute in regard to the subject-matter of the examinations.

1796. Earl of *Carnarvon.*] Taking the Bill as you find it, and looking to the existing state of circumstances at present in Parliament, what would be the changes which, in your opinion, you would desire to recommend with regard to these tests, because I apprehend, from some of the answers you have given, you are prepared to see some changes made. I should like to know what the extent is to which you think those changes can with safety be carried?
I should be prepared to see the University degrees, other than those in Divinity, opened as is proposed by the Bill. I should wish also to have a strong guarantee with regard to the service in the college chapel; and where the tests are retained, that some other test than that of subscription to the Thirty-nine Articles should be substituted.

1797. You are aware of a proposal made in the House of Commons by Sir Roundell Palmer to the effect, I think, that all professors should declare that they would teach nothing contrary to the doctrine and discipline of the Church of England; would that, in your opinion, be a sufficient and satisfactory safeguard?
Yes; with regard to professors, I should be prepared to think that it would.

1798. I understood from your previous answer, that as regards Divinity professors, you would require from them a rigid conformity with the Church of England?
Yes, almost all of them at present are endowed with canonries of Christ Church, and therefore, as clergymen, they must have taken such tests.

1799. But

1799. But as regards all other professions, you would be satisfied with a declaration similar or analogous to that proposed by Sir Roundell Palmer?
Yes, so far as I have been able to consider it and see the bearing of that declaration.

1800. I understand that you would be prepared to abandon the restrictions as to the M. A. degree?
Yes.

1801. And of course, in abandoning those restrictions, you would abandon also all restriction for the membership of convocation?
Yes.

1802. When you come to the heads of houses and visitors, I presume you would preserve them upon much the same footing as they now occupy?
Yes.

1803. As regards college tutors, you drew just now, I think, a distinction between those who were invested with certain teaching functions, and those who were not; did you mean by that, that those tutors who did not exercise teaching functions were persons in possession of what have been termed sinecure fellowships?
Many of them are.

1804. Would you then be prepared to adopt a different course with regard to those who are employed in teaching in the colleges, and those who were holding the sinecure fellowships?
Yes.

1805. That is to say, as I understand it, you would retain either the test as at present, or some form of test, with regard to those who performed teaching duties, but you would abandon it, or relax it, in the case of those who were holding the sinecure fellowships?
I am not sure that I should abandon it; but it seems to me that the question as between those two classes is very different.

1806. Can you state to the Committee to what extent you would relax it?
Many men of all parties resident now in the University are looking forward to the abolition of these non-resident sinecure fellowships, and hoping that all those who hold fellowships will take part in the education of the college. In that case, therefore, there would be no room left for those who are not prepared to take such a test as it might be thought desirable to impose on those who might be engaged in tuition and instruction.

1807. That would, of course, involve a general residence on the part of the fellows?
Yes.

1808. But assuming that you maintain non-resident fellowships, would you be prepared in the case of those persons to relax the test very considerably, or to do away with it?
I should be not unwilling to do so, though I should certainly not be strongly in favour of so doing.

1809. As regards those fellows who taught, would you be prepared to make any alteration in the present test, or would you think it necessary to maintain it, as it now stands?
I should be prepared to see a change from the present subscription to the Thirty-nine Articles, as I said in answer to a former question, to some less complicated test.

1810. A less complicated test, but one going to the same point, namely, conformity with the doctrine and discipline of the Church of England?
Yes.

1811. Would you be prepared to go as far as the declaration which you stated you would be ready to accept in the case of a professor, a declaration that he would teach nothing inconsistent with the doctrine and discipline of the Church of England?
No, I should prefer a further one, for that is purely negative.

1812. On what ground do you draw that marked distinction between the professors of the University and the tutors of a college?
Because

Rev. *W. Ince.*

10th March 1871.

Because the professors of the University are limited to some one subject, which subject might have no necessary immediate connection with theological questions and doctrine, and a guarantee would not be required in regard to them; but a tutor is brought into intimate and close relations with his pupils, and is not at all confined in the subjects of his lectures; he does not lecture simply upon Greek or Latin, but has to be prepared to take a variety of lectures on different subjects; therefore his moral bearing and his connection with his pupils is likely to exercise a much more special influence over them.

1813. But both as teachers, whether in the University or in a college, might exercise considerable influence over the minds of their pupils, might they not?
Yes; but the personal influence is very much larger in the one case than in the other.

1814. Would any test, such as has been sometimes suggested, going simply to a declaration of a belief in those articles of faith which are common to most Christian denominations, meet the case in your point of view?
No; for it would not exclude a member of the Church of Rome.

1815. Would a declaration of belief in the Nicene Creed satisfy you?
No, it would not, for the same reason.

1816. As regards the college chapels, I think you would wish to see an *express* provision for the maintenance of the Church of England worship *within those* chapels?
Yes.

1817. Duke of *Somerset.*] I think you stated that you wished to have a declaration from all professors that they would teach nothing contrary to the doctrines of the Church of England?
Nothing contrary to the Christian faith.

1818. You would substitute "*Christian faith*" for "*the doctrines* of the Church of England"?
Yes.

1819. But with regard to the professors whom you have ha at Oxford, was not Baden Powell professor there?
Yes, he was Professor of Geometry.

1820. But he had made no such declaration, had he?
He was a clergyman of the Church of England.

1821. As he was a clergyman of the Church of England, he did not consider his doctrine contrary to the Church of England; he had satisfied his own mind upon that?
Yes, I presume he had.

1822. Would not your proposed test be, in fact, a *stricter test than* exists at present?
No; the power exists in the University statutes of depriving a professor of his office if he teaches anything contrary to the Catholic faith.

1823. Our object in this Committee is to relax the tests, and it seems to me that your wish is rather to increase the tests?
I do not consider that to be the result of the opinion I have stated.

1824. It seems to me that all professors need not take tests at present?
It would depend upon the conditions of their professorships; where they are required to have taken certain degrees they must have taken the tests to get the degree.

1825. But there may be professors under the present system in the University of Oxford who have not taken tests; is not that so?
Yes, I believe it is.

1826. Then, in fact, what you would do would be to impose tests upon people who now need not take tests?
The great majority of those who are at present professors have taken tests.

1827. But you would make them all take tests, as I understand; is that so?
Yes.

[The Witness is directed to withdraw.]

The Reverend WILLIAM MAGAN CAMPION, D.D.; Examined:

Rev. *W. M. Campion*, D.D.

10th March 1871.

1828. *Chairman.*] You are a Member of Queen's College, Cambridge, I think?
Yes.

1829. You are familiar with the provisions of this Bill?
Yes; I have read it with some care.

1830. Is it your opinion that the relaxation of tests which it proposes would be attended with detrimental influences upon the religious teaching of the Universities, and the colleges?
If the relaxation be made to the full extent and in the manner prescribed in the Bill, it would seriously affect the religious teaching and observance in the colleges.

1831. You are of opinion that the fact of the fellows and the head belonging to the Church of England is a material guarantee, and an important guarantee, for the religious teaching of the college?
So long as the head and such of the fellows as are engaged in teaching are members of the Church of England, the tone of the religious teaching must necessarily be in accordance with that of the Church of England, and there will be a unity of religious life in the place.

1832. And there is distinctly a religious teaching and a religious life dependent on that teaching, which would be affected by such a change?
Certainly; for there is not only instruction in religious subjects, but there is also a series of religious observances, such as the services in the chapel, at which all the members of the college attend.

1833. It has been stated by witnesses here, as well as by many out of doors, that there is practically no religious teaching in the University, or at the colleges; you do not agree in that view?
No, I do not; there are continually lectures given in the Greek Testament; there is also instruction given in the Old Testament; there is instruction given in the history of the Church of England, and there are sermons preached constantly in the chapel, in which dogmatic points are brought before the members of the college.

1834. How many fellows are there in your college?
The number of fellowships is 14; there is one vacant at present.

1835. Are the fellows all resident?
No; there are but four resident.

1836. They conduct the educational duties of the place?
The educational duties of the place are conducted by two. One fellow, who is resident, is Professor of Arabic in the University; another is a Bachelor of Arts, who is engaged in private tuition; the other two assist in conducting the studies of the place. Part of the instruction is given by a lecturer from another college, and our students go to colleges with which we are associated for such lectures as may be needful to them.

1837. But the Divinity lectures are given exclusively within the college?
Not exclusively.

1838. Some of them are given by other colleges?
Some of them are given by other colleges, with whom we are associated for purposes of instruction.

1839. But except for the purposes of those lectures the religious instruction of the college depends upon the two fellows you have referred to?
And the head.

1840. Does the head take an active part in tuition?
He occasionally lectures on Hebrew, and he preaches frequently in the college chapel.

1841. The college chapel, in your view, forms then the preponderant portion of the religious teaching of the place?

Rev. *W. M. Campion*, D.D.

10th March 1871.

I should say that it forms the preponderating part of the religious education of the place.

1842. Therefore, it would be from the suppression of the service in the college chapel, or from anything which ran the risk of such a suppression, that the greatest injury would accrue to the religious education of the place?
Yes, that is my opinion.

1843. But apart from the college chapel, and apart from the action of other colleges, it is upon those two fellows, who take part in the tuition, that the religious teaching of the place depends?
Yes, and apart from the teaching that may be given by the head of the college.

1844. I understood you to say that the head of the college only took part in the religious teaching from the pulpit of the chapel?
I mentioned that he delivered lectures on Hebrew.

1845. Are there many theological students at your college?
The majority of the students take Holy Orders.

1846. For the purpose of sharing in the college fellowships, or for other reasons?
According to the constitution of our fellowships at *present*, no person who accepts a fellowship of limited tenure is obliged to take Holy Orders. Perhaps it would save questioning if I were allowed to state what our tenure is. All our fellowships are of limited tenure. Every person who is elected may hold his fellowship until 10 years after taking his M. A. degree without any restriction whatsoever, either of celibacy or of any other kind. There is a provision made that if he takes Holy Orders within two years after his M. A. degree he may retain his fellowship, so long as he remains unmarried and is not in the possession of an ecclesiastical living above a certain amount; and if he should be engaged in discharging the duty of tutor or senior classical lecturer, or senior mathematical lecturer, then the years do not count in his tenure which he so spends.

1847. Are there any alterations in the Bill which, in your judgment, would diminish its evil effect?
I have suggested some amendments by altering my copy of the Bill. If such changes as these were made, I think it would be found to modify to a great extent the injurious effect of the Bill. For instance, the third paragraph of the preamble might read thus: "Whereas it is expedient that such restrictions, tests, and disabilities should be removed under proper safeguards for the maintenance of religious instruction and worship *according to the Formularies of the Church of England* in the said Universities, and the colleges and halls now subsisting within the same." I think the words "the headship of a college or hall" and "tutorship" might be removed from the interpretation clause; and with respect to professorships, the clause might run thus: "The word 'office' includes every professorship other than Divinity professorships, and in Cambridge the professor of Moral Theology, Casuistical Divinity and Moral Philosophy." With respect to the sentence at the end of Section 3, which says, "nor shall any person be compelled in any of the said Universities, or any such colleges as aforesaid, to attend the public worship of any church, sect, or denomination to which he does not belong," I must say that I think it very undesirable that a young man, when he comes up to college, should be asked what sect, church, or denomination he does or does not belong to, and so to ticket himself throughout his career as having taken up or abandoned a certain set of opinions. Therefore I should like to see that clause modified according to the phraseology of the Elementary Education Act, so that it should run, "nor shall any person *in statu pupillari* be compelled, in any of the said Universities, or any such college as aforesaid, to attend any religious observance, or any instruction in religious subjects from which he may be withdrawn by his parent or guardian." With respect to Section 4 of the Bill, I do not quite see what the effect of it will be. I cannot understand that it adds any safeguard whatever.

1848. The idea with which it is proposed, I imagine to be, that it would enable the fellows, in electing to fellowships to regard the provisions of the Ordinances passed by the University Commission which I think direct them to elect the persons best fitted to become fellows of the college as a place of religious instruction?

I should

Rev. *W. M. Campion*, D.D. 10th March 1871.

I should like to know what the bearing of it would be upon a particular case which I will put before the Committee. In Clause 3 it is said, that "From and after the passing of this Act, no person shall be required, upon taking, or to enable him to take any degree (other than a degree in Divinity) within the Universities of Oxford, Cambridge, and Durham, or any of them, or upon exercising or to enable him to exercise any of the rights and privileges which may heretofore have been, or may hereafter be exercised by graduates in the said Universities, or any of them, or in any college subsisting at the time of the passing of this Act, in any of the said Universities, or upon taking or holding, or to enable him to take or hold any office, or upon teaching or to enable him to teach, to subscribe any article or formulary of faith, &c.;" I suppose "upon holding" means as a condition of his continuing to hold.

1849. I suppose so?

There are certain of our professorships, namely the three Regius Professorships of Divinity, Hebrew, and Greek, and the other Divinity professorships, under the statutes of the University, in the case of which it is competent to the Vice Chancellor, if at any time he shall think fit (of course acting upon proper cause), to require those holding these offices to sign the three Articles of the 36th Canon. The Statute says, "it shall be competent to the Vice Chancellor, if at any time he shall see occasion to do so, to require the professor to subscribe to the three Articles of the 36th Canon, in the form prescribed by the statutes of the University for candidates for degrees in Divinity; and if after three requisitions the professor shall refuse so to subscribe, his professorship shall thereupon become *ipso facto* void." I should wish to know, before pronouncing an opinion upon Section 4, whether that clause of Section 3 would allow the Vice Chancellor to require any professor to subscribe those Articles.

1850. Your opinion is that that would be a matter of considerable doubt, is that so?

My opinion is that the Vice Chancellor could not require him to subscribe according to the Statute.

1851. Is there not an exception in the Act in favour of the Professorships of Divinity?

No.

1852. Your view is that it would be necessary to repeat the words "other than a degree in Divinity," or rather to repeat analogous words in the 16th line, that it should read, "to hold any office other than a professorship in Divinity"?

It appears to me that the exclusion should come into the interpretation clause, so that the interpretation of the word "office" would run thus: "every professorship other than Divinity professorships, and in Cambridge the Professorships of Moral Theology, Casuistical Divinity and Moral Philosophy."

1853. Who appoints the tutors in your college?

The master nominates the tutors, and the fellows accept the nomination or reject it.

1854. Is it your opinion that if the fellows consisted of persons of very different religious beliefs, the result would be to make the continuance of theological lectures difficult, if not impossible?

No. I may take this opportunity of stating to the Committee that under existing circumstances I am of opinion that no test whatever should be required from a person who takes a fellowship simply as a prize. Our fellowships are given simply as prizes.

1855. But they confer a vote in the management of the college, do they not?

They do confer a vote.

1856. Do you think that a governing body divided into men of sharply contrasted religious beliefs would be able to manage religious education?

No; and therefore if my view were carried out, that a fellowship regarded as a prize should be given irrespective of any profession of religious belief, I think it would be necessary to add a clause such as the following: "Nothing in this section" (that would be the 3rd section) "shall enable any person who is not a member of the Church of England, to take part in the administration of the

Rev. *W. M. Campion*, D.D.

10th March 1871.

system of religious instruction, worship, and discipline, which now is or which may hereafter be lawfully established in the said Universities respectively, or in the colleges thereof, or any of them, or in altering the statutes and ordinances of the said Universities or colleges respectively relating to such instruction, worship, and discipline."

1857. The effect of your suggestion would be to separate those fellowships which conferred the power of teaching from those fellowships which simply gave a reward?

Yes.

1858. Would you continue the existing tests in the case of those fellowships which conferred the power of teaching?

I think it would be desirable that a tutor of a college should profess himself a member of the Church of England. At Cambridge our custom is, in a small college, to have not more than one tutor, or sometimes two. In the large colleges there are generally three. I do not think it would be necessary to require such a profession from the lecturers. The tutor is the person who stands to the undergraduates of the college *in loco parentis*, and who is most likely to exercise over them a control into which religion should enter.

1859. There has been some difference of opinion amongst the witnesses who have been examined before this Committee, as to whether the tutor's office gives to him any power of influencing undergraduates in matters connected with their religious belief; what is your experience upon that subject?

My experience as a tutor of a small college is that his connection with his pupils is so close, that he might exercise great influence over their religious belief.

1860. How mady undergraduates have you at your college?

About 50.

1861. I suppose the amount of the influence the tutor could exercise would vary with the number of pupils that each tutor had, and consequently the experience of various colleges would differ in that respect?

Yes, I should say so.

1862. Are there any other suggestions which you have to offer for the modification of the Bill?

I do not understand the meaning of the word "lawfully," in Section 4; I do not know whether it means in accordance with the directions of the statutes of the college, or whether it means by the authority of Parliament.

1863. How would you alter it so as to make it unambiguous?

By replacing it by the words, "by authority of Parliament."

1864. You have the power in your college, have you not, of altering the statutes, with the consent of the Queen in Council?

We have.

1865. That power might be exercised for the removal of that privilege given to clerical fellowships, which you mentioned just now; should you not think it expedient that all changes with respect to clerical fellowships, or clerical headships, should be within the authority of Parliament alone?

I should scarcely like to commit myself to such an opinion as that; I think that if such changes are to be effected, it would be most desirable that they should be effected by a Parliamentary Commission; and of course all the changes that would be made in the statutes of a college by a Parliamentary Commission would be laid upon the Tables of both Houses of Parliament before they were finally approved of.

1866. You would not like them to be made by the colleges themselves after the preliminary agitation which would be a necessary prelude to any such exercise of their power?

If a Parliamentary Commission were appointed to revise the statutes of the college, I presume such revision would be made in connection with the governing bodies of the colleges as it was at the last revision when they conferred together; recommendations

Rev. *W. M. Campion*, D.D.

10th March 1871.

recommendations were made, and they finally came to an agreement as to the statutes that should be adopted.

1867. You would not think it expedient that such powers should be exercised by the colleges without the authority of a Parliamentary Commission?
No.

1868. Do you concur in the opinion which has been pretty generally stated, that to leave any changes of this kind to the discretion of the colleges, would be to foster agitation to an extent which would be detrimental to the duties of the place?
I think in some colleges it might act in a detrimental manner. In a small college where you had a resident body of say three or four, if two or even one amongst them were always agitating for changes it would be very injurious.

1869. Supposing the tests were removed, should you attach any value to a controlling power either in the visitor or in any other person to prevent the teaching of anti-Christian doctrine?
I should be afraid that the controlling power of the visitor in such a case would be exercised with difficulty unless it could be shown that such teaching was directly contrary either to Act of Parliament or to the statutes of the college.

1870. You think the term "Christianity" would be too vague?
I think so.

1871. Lord *Colchester*.] Did I understand you to say that you had only two fellows of your college connected with educational work in the college at the present time?
Yes, connected with educational work in the college. One of our fellows went out to be connected with educational work in India, and is now Acting Curator of the Botanical Garden at Calcutta; another is the Astronomer Royal at the Cape of Good Hope; another is Professor of Engineering at Owen's College, Manchester; and two more are engaged in school work.

1872. But in the college you have only two fellows engaged in educational work?
We have only two fellows engaged in tuition at the college; one other fellow is engaged in taking private pupils.

1873. Are there any other fellows who are resident, but not engaged in the educational work of the college at this moment?
There is another fellow resident who is Professor of Arabic. He, of course, is engaged in the educational work of the University.

1874. By your present statutes a fellow who takes Holy Orders, whether resident or not, may retain his fellowship for life if he is unmarried?
Yes.

1875. But a fellow who is not in Holy Orders, even if he is resident, loses his fellowship, unless his having taken part in the college work has enabled him to count some additional time?
Yes, there are three college offices, the holding of which suspends the running out of his tenure.

1876. Under the supposition that tests are abolished, do you attach great value to the maintenance of clerical fellowships as a valuable safeguard for the position of the Church of England in the University?
I am prepared to say now that I think that all fellowships regarded as mere prizes for success attained in the schools ought to be of limited tenure; of course, in that case, the clerical fellows would have the same tenure as the laymen.

1877. I mean, do you attach importance to the fact that a certain number of fellows are required to be in Holy Orders, as likely to be a useful safeguard to the Church of England, if some measure such as this is to pass, or do you consider it of no particular value?
The result of experience in my own particular college is, that although a

Rev. *W. M. Campion*, D.D.

10th March 1871.

clerical fellow has the option of retaining his fellowship for life, provided he remains unmarried, yet it has not induced our fellows to take Holy Orders.

1878. You have no fellowships, then, in which taking Holy Orders is imposed unconditionally?
No.

1879. In other colleges I suppose there are such fellowships?
As a condition of tenure only, I think in some of the colleges they require a certain proportion of their fellows to be in Holy Orders.

1880. Do you consider that that is of any advantage to the Church of England?
I consider that it is a positive disadvantage, because at the very time that you want to fill up your clerical number, you may have a fellow who is not disposed to take Holy Orders.

1881. Then you would not object to the abolition of such restrictions, and you think that those who fear the operation of this Bill ought not to hope that by retaining the clerical fellowships they would have any mitigation of its evils; seeing that you consider it a disadvantage, I presume you would be glad to have such restrictions abolished?
I consider it a disadvantage as regards the individual.

1882. I meant it as regards the University?
It would be an advantage as it regarded the University, but the individual would be sacrificed.

1883. Therefore you would not wish to abolish such rules where they exist?
Yes; if I had the reforming of the college statutes, I would abolish such rules; I would make all fellowships, regarded as prizes, in their nature terminable.

1884. Would you require any fellows to be in Holy Orders?
I would not require them to be in Holy Orders, but I would give them an opportunity of retaining their fellowships, in certain cases, if they were found to be in Holy Orders.

1885. And I understand you to say, that you would wish to retain a test for the fellows taking part in the work of the college, but not for the prize fellowships?
Yes, under existing circumstances, I would only require a profession of religious belief from a fellow who was to fill the post of tutor.

1886. Do you not think that, by discouraging sinecure fellowships, you would lower the standard of competition for fellowships by causing a number of persons who did not intend to reside, to cease to be candidates?
I can only speak of the operation of the system at Cambridge; I consider that at Cambridge all our fellowships, considered in themselves, are sinecure fellowships; they are prizes to which no duties are attached, except it be considered a duty to attend a college meeting three or four times a year.

1887. Your system is, that you always elect from your own college, so that at each particular election you can put your finger beforehand upon the man who ought to be elected?
It depends whether there is a man who comes up to the standard as determined by the University examinations, if not we go out of the college.

1888. You have no examination of your own for fellowships?
We do not examine for fellowships ourselves; we rest upon the University examinations.

1889. So that there is always one man who ought to get the fellowship, unless he is obviously disqualified by the University examinations?
Yes.

1890. Therefore it is not a matter of free competition?
No, the man is either up to the fellowship standard, or he is not. I wish to take an opportunity of stating something to the Committee whilst I remember it. I said

Rev. *W. M. Campion*, D.D.
10th March 1871.

I said I was prepared to abandon, in the case of the prize fellowship, any test requiring the profession of religious belief, under existing circumstances. I should like to state to the Committee what I mean by "existing circumstances." Under the Cambridge University Act we were prohibited from requiring from any scholar any profession of religious belief. Under the operation of the late Commission, the colleges established a number of scholarships to be given before entrance. Consequently we elect to scholarships a number of clever youths from all parts of the country, quite irrespective of their religious belief, and we are prohibited, in fact, during all the time of their residence with us, from asking them what their religious belief is. If one of these young men, upon taking a high degree which would bring him within the fellowship range of the college, is unwilling at that time to profess a particular religious belief, and so obtain a fellowship, there is likely to arise a soreness in his mind; because, although we tell him beforehand, by stating it in the Cambridge calendar, that our fellowships are at present restricted to members of the Church of England, he, seeing that our fellowships are mere prizes, is likely to feel aggrieved at not getting the prize which he sees others get.

1891. That soreness is the result of the special system by which a man can beforehand know that he can expect a particular fellowship, is it not?
No doubt it arises a good deal from that.

1892. It would not apply to a system under which the election to fellowships was upon a general competition, because it would not be possible to say beforehand that a particular man ought to get a particular fellowship?
No doubt the soreness arises partly from our system. We fully considered the question of public competition for fellowships at the last revision of our statutes, but we came to the conclusion that it was more desirable for the colleges to elect their fellows according to the University standards than to have an examination of their own for testing their competency. We considered that it was very undesirable that the time of a young man should be continually frittered away year after year in trying for a fellowship at one college after another.

1893. I think you stated that the colleges in the majority of cases came to an agreement with the Commissioners as to their statutes?
There are no cases in which the statutes were not finally agreed upon for each college.

1894. Therefore your new statutes were not, as was the case frequently at Oxford, imposed by the Commission against the will of the college?
No.

1895. Am I to understand that, except in the case of scholarships, you do ask any question as to a young man's religious belief?
No, I never ask any question, but I assume that every person who comes to me is a member of the Church of England until I am told that he is not.

1896. You would wish to retain a test for the head of a college, on account of the lectures which he gives, and of his general influence?
On account of his general influence upon the religious life and the unity of the place.

1897. Has your college any post-Reformation endowments?
A few.

1898. There are two or three colleges in Cambridge which are altogether post-Reformation, are there not?
There are three which are altogether post-Reformation.

1899. Do you think it would be desirable, in a Bill of this kind, to draw a distinction between such colleges and the others?
I should be guided a good deal upon such a point by the wishes of individual colleges.

1900. Would not that lead to what you deprecated, namely, agitation within the colleges as to the decision of this question?
The agitation would be only temporary.

Rev. *W. M. Campion*, D.D.

10th March 1871.

1901. You mean that they should be allowed to decide once for all, and that decision should be binding for ever?
Yes.

1902. Do you see any distinction between a post-Reformation endowment at any of the colleges at Cambridge, and any endowment founded at the present day for Roman Catholics or Presbyterians, with which the Legislature, I presume, would not think it right to interfere?
No, they come under the same category.

1903. Therefore, for the Legislature to throw open the post-Reformation endowments at Cambridge without tests, would be analogous to the Legislature throwing open Stonyhurst or Oscott to Protestants?
Yes.

1904. And that would be considered an injustice, would it not?
Yes; but before one pronounces upon the amount of injustice committed, one would have to go into the history of the post-Reformation colleges; there is no college which has been founded at Cambridge subsequent to the Act of Uniformity, except Downing College.

1905. You mean the Act of Uniformity passed in the reign of Charles II.?
Yes.

1906 Downing College has been founded since that time?
Yes.

1907. But there are colleges which were founded between the accession of Queen Elizabeth and that time?
Yes.

1908. Sidney Sussex is an instance, I suppose?
Yes. You would have to ascertain from the statutes of the particular colleges what were the conditions of membership then.

1909. Do you think that there would be anything unsatisfactory in having some colleges open in compliance with the wishes of those who desire the open system, and others closed in compliance with the wishes of those who desire a strictly denominational system of education?
I was more favourable to the Bill in the permissive form than in its present form. The Bill in the permissive form would probably have led to that result.

1910. If this Bill could be converted into a permissive Bill, you would prefer it to the Bill in its present shape?
If it were possible to make such a very great alteration, I should prefer Parliament to pass an enabling Bill, repealing, if they thought fit, such restrictions as Parliament had imposed, and appointing a Parliamentary Commission to reform the statutes of each college, in connection with their governing bodies.

1911. Lord *Rosebery*.] You used the words "private tutors;" I suppose I may infer that there is a system of private and independent tuition at Cambridge apart from the college?
Yes.

1912. Do not those private tutors exercise far greater influence upon the minds of their pupils than anyone holding an official tutorship?
The character of our studies at Cambridge would render it impossible for a private tutor to exercise very great influence over the opinions of his pupils. Our studies are for the most part classics and mathematics, and the tutor in classics has nothing to do with his pupil's opinions, nor has the tutor in mathematics.

1913. In what way would an official tutor exercise an influence over the opinions of a pupil which a private tutor cannot?
Because an official tutor is brought into connection with his pupil in many ways. He has to give him advice. He stands to him *in loco parentis*. If the pupil is in any difficulty he appeals to the official tutor as his natural guardian; so that the two are brought into very close relations.

1914. The

Rev. *W. M. Campion*, D.D.

10th March 1871.

1914. The official tutors are much more intimate with their pupils in fact than the private tutors are?
Yes, in small colleges.

1915. I suppose at Trinity College a tutor could hardly be brought into connection with his pupils at all, and would not exercise much influence over them?
I think even at Trinity some tutors would exercise influence over their pupils, although others would not.

1916. It is a question of the man and not of the office?
Yes, in a large college.

1917. Lord *Lyveden*.] Will you explain to the Committee in what sense you consider compulsory attendance at chapel a portion of religious teaching or education?
I look upon an undergraduate as a person whose religious opinions are not formed, and I think, therefore, that it is desirable that he should be subject to some religious observance in order that he may acquire habits of regularity, if for nothing else.

1918. Do you consider that, without comment, or observation, or interrogation, an education?
I think it gives a tone to his life.

1919. Like attending church on Sundays?
Yes.

1920. It is an observance?
Yes, wholesome religious observance.

1921. What is the consequence of non-attendance?
Habitual non-attendance would lead to reprimand from the dean of the college.

1922. Frequent or occasional non-attendance is visited with impositions, is not it?
Not with us.

1923. It is merely habitual non-attendance that would be at all observed upon in the college?
There are prayers in the college chapel twice every day, and every undergraduate, as a general rule, is expected to attend once, and to attend twice on Sundays, If he absents himself, he will be asked by the dean his reason for doing so. If he has not a satisfactory reason to give, he will be told that he must attend.

1924. Are any undergraduates excused altogether when they arrive from attending chapel, in consequence of a variety of religious opinion?
I never had a case of an undergraduate who wished to be excused on account of his religious opinions. If such a case occurred I should write to his parent or guardian, and ask him if he wished his son to be excused attendance; and if the parent or guardian wished him to be excused, I should ask the college to excuse him.

1925. Then, I do not understand from you that that portion of the religious education is very strictly enforced?
Regular attendance at college chapel is enforced.

1926. But according to your account it does not appear to lead to any very grave consequences if the attendance is not regular?
If the attendance were habitually irregular, it would lead to grave consequences.

1927. But not if it were occasionally irregular?
No.

1928. You stated that you would exclude from tests those whose object was to take fellowships as a prize?
Yes.

 1929. How

Rev. *W. M. Campion*, D.D.

10th March 1871.

1929. How would you ascertain the object of a man in taking a fellowship?

I consider that all fellowships should be given first as prizes.

1930. Part of the prize of a fellowship consists in the opportunity it gives of obtaining college offices and distinction, does it not?

The fellows are eligible to college office; but for college offices they are paid in addition to the fellowships, so that on their appointment they fill an office to which duties attach, and for which they are paid.

1931. Will you tell me how you would except from taking the tests, men who took fellowships as prizes; would you have it indicated to you that that was their only object, and that they did not mean to enter afterwards upon college offices?

I would not impose a test upon any man upon his election to a fellowship, but if he wished to enter upon a college office, then I would impose the test.

1932. You would transfer the test to a further stage?

Yes.

1933. Earl *Stanhope*.] You have stated that you think that a young man should attend the college chapel unless he were withdrawn by the wish of his parent or guardian; do you think it is right to exclude altogether from consideration the personal opinions of the young man himself?

I consider that the personal opinions of young men of that age must necessarily be in a very fluid state, as I should call it; and I do not think the young man himself should be called upon to solidify them by expressing his approval or disapproval of any church, sect, or doctrine.

1934. Take the case of any young man, *in statu pupillari*, becoming a convert, say, to the Roman Catholic Church, whilst his parents remained in the Church of England; should you think it right, in that case, merely to be satisfied with the approval by his parents of the Church of England, and compel him, though a Roman Catholic, to attend your chapel services?

Certainly, because I consider that I stand in the place of his parent, and as his parent, if he were living at home, would compel him to attend the service of the Church of England; so I, standing in the place of his parent, must compel him to do at college what he would be required to do at home.

1935. Do you hold the opinion then, that under the age of 21, a man is unable to form an opinion upon a religious subject?

No; but I hold the opinion that before the age of 21 it is not desirable that a young man should commit himself to an opinion upon religious subjects.

1936. If he has committed himself, and has joined the Roman Catholic Church, do you think that any good either to himself or others would ensue from his compulsory attendance upon the service of the Church of England?

No; but I remove the responsibility from myself to his parent. The parent places him at the college, and with respect to the religious instruction that is to be given to him and the religious observance that is to be required of him while he continues at the college, I ask the parent to say what he considers necessary.

1937. We have had evidence before us, that at some of the colleges at Oxford, the attendance at chapel is now considered as voluntary, and as a thing to be encouraged but not prescribed; are there any colleges at Cambridge where that is the case?

I am not aware of any.

1938. Supposing that in your own college the remonstrances of the dean, which you have mentioned, were disregarded by a young man, what further steps would be taken?

The dean would appeal to me; if my remonstrances were ineffectual, I should appeal to the head of the college; and if the young man were found to be incorrigible, he would then be severely punished.

1939. In what way?

Probably by being sent away from the college.

1940. By expulsion?

No; by rustication, not expulsion.

1941. That you would do even if he alleged religious scruples?
I should do it; because, as I say, I cannot listen to religious scruples from a person who is regarded in the eye of the law as under the control of his parent or guardian.

1942. Lord *Houghton.*] Has not the feeling in favour of the abolition of University Tests at Cambridge very much increased of late?
It has increased.

1943. More in the larger or in the smaller colleges?
I think, probably, it has increased more at Trinity than it has at the other colleges. The opinion upon the subject, among the resident body, I should think, is now about equally divided.

1944. Trinity has led the way?
Yes.

1945. Lord *Stanley of Alderley.*] I think you said that you would wish an exception to be made in favour of a test to be imposed upon professors of Divinity; would it not also be necessary to have restrictions upon professors of zoology and medicine, since, judging from what we have seen elsewhere, those professors would have great opportunities of undermining the faith of the undergraduates?
I should not be disposed to impose a restriction upon such professors.

1946. Not upon their teaching anything contrary to religion?
No, I think that they would not be likely to enter upon the subject; it does not come within their province.

1947. Are you not aware that in the schools in Paris and other places it is very much entered upon?
I should have sufficient confidence in the good sense and good taste of our professors who are not Divinity professors to entrust them with that liberty.

1948. *Chairman.*] As a matter of fact, have any of the professors in chairs not directly concerned with religion been in the habit of introducing religious subjects into their lectures?
I have never heard of anything of the kind at Cambridge.

1949. That has been said to be the case at Oxford; you do not acknowledge that it has ever been the case at Cambridge?
No, I have never heard of it.

1950. With regard to some questions you were asked about the scruples of young men, there has been a conflict of view between witnesses before this Committee as to whether the young men at the University should be looked upon as men or as sixth-form boys; in which capacity would you mainly regard them?
I look upon them as in a transition state from sixth-form boys to the state of manhood.

1951. But you do not consider them to be in a condition in which they should be encouraged to enter into religious controversy, or to take a definite controversial line?
No; I entirely deprecate bringing such subjects before young men of that age in a controversial way.

1952. Do you not think that the effect of bringing controversial subjects before men at that age is likely to end in after life in their having very little belief at all?
Yes, I think it is.

1953. Earl of *Carnarvon.*] Are you aware of the declaration which it was proposed by Sir Roundell Palmer in the House of Commons to enact with regard to professors, that they should teach nothing contrary to the doctrine and discipline of the Church of England?
Yes.

1954. Would such a declaration, as applied to the professors at Cambridge, be, in your opinion, a sufficient or a satisfactory safeguard?
I should not recommend the requiring of such a declaration from the professors

Rev. *W. M. Campion*, D.D.

10th March 1871.

of all classes. At present a professor, as such, who is not a Divinity professor, is simply required to declare that he will conform to the Liturgy of the Church of England.

1955. That, of course, is a tighter restriction than the one which Sir Roundell Palmer has proposed?

I interpret the declaration, that he will conform to the Liturgy of the Church of England, simply as meaning that he will not attend Dissenting places of worship.

1956. I assumed in my question, that the declaration which Sir Roundell Palmer proposed would be of a negative character; whereas that which you were mentioning would be rather of a positive character, would it not?

I do not think it has been held that the promise, "I will conform to the Liturgy of the Church of England," necessarily implies that the person who makes it is to be a diligent attendant at the public worship of the Church of England.

1957. Therefore you would wish to see the declaration which is at present in force retained?

As there is a feeling against the imposition of these tests, I should not wish to retain a test in any case where I consider it to be unnecessary; and, therefore, with respect to professors in general other than Divinity professors, I would relax the tests altogether.

1958. Assuming that such a declaration would meet the case in Oxford, would you be satisfied with it in Cambridge?

I should not like to see the test imposed.

1959. I think you lay considerable stress upon the maintenance of the chapel system at Cambridge?

Yes.

1960. Will you be good enough to say whether from your personal experience you have had reason to believe that the influence exercised by it upon young men was beneficial?

Certainly, I should say that it was beneficial.

1961. Have individual cases come to your knowledge which have led you to that conclusion?

I cannot say that individual cases have come to my knowledge which have led me to form such a conclusion, because it would imply that the ordinary conduct of the undergraduates would lead me to a contrary conclusion.

1962. What I rather meant was, that your own personal acquaintance with the young men, and your experience generally at Cambridge, has given you a definite impression that the attendance at chapel did lead to beneficial, moral, and religious effects upon them?

Yes.

1963. Turning to this Bill, which of course you have read through, what would be your impression of the main dangers to which it would lead, as applied to the University of Cambridge?

If the Bill were carried out entirely as it is, I think that in some colleges, and especially in the smaller colleges, an element of religious discord might be introduced which would tend to destroy the religious character of the place. For instance, we have four fellows in residence; supposing we were to elect a fellow who took a strong line against the Church of England, or against Christianity, and who was also allowed to take part in the teaching of the college, it would almost necessarily result that all definite religious teaching or religious observance must be given up. The unity which at present prevails would be destroyed, and before we could rise up to any state of denominationalism we must pass through a period in which there would be an utter absence of all religious teaching or observance.

1964. The present system, in your opinion, to a certain extent, at all events, guards you against that danger?

Yes; the present system certainly secures peace in the smaller colleges.

1965. Is there any other part of this Bill which, in your opinion, would be dangerous if it was to become law?

No; the only danger that I see in the Bill is that which has regard to the teaching in the colleges.

1966. As regards the Universities, you would not be so apprehensive?

No; on this account, that the University is really more like a civil incorporation, whereas the analogue of a college is a family.

1967. So that what you would really care for would be some provision which would more or less maintain the domestic character of the colleges, and the teaching which is given there by those who for the time being are placed in the position of parents and guardians?

Quite so.

1968. *Chairman.*] Is there any other point that you wish to state to the Committee, which has not yet been brought out by our questions?

There is one point which I would wish to mention to the Committee. In Sub-section 1, of Section 3, it is provided, "Nothing in this section shall render a layman, or a person not a member of the Church of England, eligible to any office," and so on. I am inclined to think that, under the recent Act of Parliament, which allows a man to lay aside his orders, a man might be elected to an office as clergyman, and afterwards become a layman, and not vacate the office. Therefore, for the word "eligible," I should like to substitute the words "capable of holding."

1969. I suppose that that is an alteration to which you would not expect any very large practical effect to be given; it would provide for a very exceptional case?

It would be an exceptional case, but such exceptions are not altogether improbable.

1970. The case you contemplate here is where a man should undergo a very large change of opinion, and in consequence abandon his orders, and yet retain a college office which had been given to him on the faith of his orders?

Yes.

1971. Is there any other point that you would like to mention?

It may seem hypercritical, but I object to an expression which occurs in the first paragraph of the preamble, in which it is said, "It is expedient that the benefits of the Universities of Oxford, Cambridge, and Durham, and of the colleges and halls now subsisting therein as places of religion and learning, should be rendered freely accessible to the nation." I do not know what is meant by making a college, as a place of religion, more freely accessible to the nation than it is at present.

1972. You find a difficulty in putting a meaning upon those words?

Yes.

1973. Do you not think it is somewhat hypercritical to require a meaning in the preamble of an Act of Parliament?

Perhaps I might be considered guilty of a breach of privilege if I answered that question in the affirmative.

1974. Earl *Stanhope.*] You are aware that preambles have no enacting force?

Yes, I am aware of that. I would also point out another small point, and that is that the paragraph in the margin which describes Section 3 is not co-extensive in meaning with the section itself. The paragraph says, "Persons taking lay academical degrees, or holding lay academical or collegiate offices, not to be required to subscribe any formulary of faith, &c."; there is no such limitation as to office in the section.

1975. *Chairman.*] These marginal notes, I believe, are of no Parliamentary authority, but are merely inserted by the printer?

I was not aware of that.

1976. Is there any other point to which you wish to draw the attention of the Committee?

No.

The Witness is directed to withdraw.

The Reverend EDWARD C. WOOLLCOMBE, is called in; and Examined as follows:

Rev. *E. C. Woollcombe.*

10th March 1871.

1977. *Chairman.*] You have been, until lately, a Fellow and Tutor of Balliol College, have you not?

I am still a fellow, and I have been a tutor until very lately.

1978. How long is it since you resigned that office?

I resigned just before the long vacation of 1869.

1979. You have given a good deal of attention, I believe, to this subject of tests?

Yes.

1980. Will you give the Committee your opinion of the mode in which they work at the University of Oxford?

Up to this time, having lived as a fellow and tutor in my college continuously for more than 30 years, I certainly have not found the tests working at all injuriously (I am speaking of a very small college), and I will give you evidence of that. We have at this moment, as a fellow of Balliol, a gentleman, who, I believe, was brought up and came to the University as a member of the Presbyterian Kirk. Although he was educated as a Presbyterian, he found no difficulty in accepting the only test required, namely, conformity to the Church of England; he is, at this moment, a fellow and lecturer of Balliol College, and he goes on with us, and we with him, in perfect amity.

1981. Your opinion, therefore, is that tests have not operated to produce any great exclusion?

They have not done so in my own experience at all.

1982. Do you think that they have operated to prevent diversity of opinion?

We have had a great deal of diversity of opinion, but within the allowable limits of the Church of England; and when it happened, as it has happened in my own college in the case of two fellows, that these limits were overpassed in the direction of the Church of Rome, those two fellows resigned their fellowships.

1983. You have never known of any resignation on account of passing the limits in the other direction, have you?

No; I have not in my own college. We are a very small body; at present there are 11 fellows only, and there were never more than 12 at any time.

1984. Have you ever heard, in the University, of any person resigning on account of his opinions going too far in the opposite direction, to the Church of Rome?

Yes; of course in these matters one does not know with certainty; but I believe the late Mr. Clough's was a case of that sort. He was considered to have been over-scrupulous, but that was supposed to be the reason of his resigning. He was at Oriel College.

1985. It has been reproached to tests that under them as great a diversity of opinion takes place as could possibly occur if they were removed; you do not concur in that view of their operation?

I certainly do not as to Oxford, nor particularly as to my own college, of which I can better speak.

1986. The effect of the tests is to produce considerable uniformity of opinion, and therefore of teaching?

Yes.

1987. I suppose even where the uniformity of opinion is not arrived at there is a delicacy on the part of those who have taken the tests about teaching any thing which is contrary to them?

We entirely trust one another. It is known upon what terms of conformity, at any rate, each man has entered the body. No one asks or suspects anything more. Every man is supposed to go on conscientiously upon the terms upon which he was admitted.

1988. As a matter of fact, you think they do go on conscientiously?

I should

I should say so certainly in the case of my own college, where our differences are very considerable.

1989. We have received much evidence to the effect that extensive infidelity is produced by the studies rendered necessary by the present arrangement of the Final School; does your experience point in the same direction?

I could not say that. I could not say that extensive infidelity is produced. I certainly do believe, though I can hardly give distinct evidence upon the point, that many young men's minds are and have been, to a certain degree, unsettled by it, but I have no case before my mind in which it has gone to the extent of infidelity.

1990. You think that there is a cause operating in that direction?

I must say that I think the philosophical studies of the University, as has already been laid before your Lordships this morning by evidence from Oxford, have a dangerous tendency; I mean, that of the modern books which men are encouraged to read by the examiners, some are likely to be injurious to young men unless balanced by what I think alone can or ought to balance them, namely, distinct and definite Christian teaching; I do not in the least wish to exclude any book whatever, or put any ban upon it.

1991. But you think that the examiners do put questions upon particular books which, read by themselves without this corrective, are of an injurious tendency?

Yes.

1992. Is that the action of particular examiners having proclivities in that direction, or the general practice of all examiners?

It seems to me almost inevitable, that when the subject of moral or mental philosophy is studied, it should be carried out to the discussion of all questions arising upon it. I should not be inclined myself to lay great stress upon the individual tastes of the examiners. Of course they would have such tastes, but I think they would rather consider that it was due to the subject to treat it in all its bearings.

1993. Do you think that questions of this kind have more influence upon the final school, or upon the examinations for college fellowships?

Upon both. They are the most interesting studies in the University: the most distinguished pupils, or perhaps to speak more correctly, the largest number of active minded young men, go into the *literæ humaniores* school. Of course there are very able men going into the other schools, but that is the school which has the most attraction, from a reason which has been laid before the Committee, that the fellowship examinations are very much constructed upon those studies.

1994. And therefore Oxford is more and more throwing her weight into these philosophical studies?

Yes.

1995. Do you think that that is a healthy direction for the studies to be developed in?

I should be very sorry to see any restriction put in the way of those studies. The only remedy which I desire would be the *pari passu* study of Christian doctrine.

1996. If this Bill passes, do you think the application of that corrective will be endangered?

Yes.

1997. And that will be not only an injury to the young men, but a wrong to the parents who send their children to the University?

Yes, in the greatest possible degree.

1998. Do you think it will be felt so by the parents from whom the Oxford men come?

I have no doubt it will be felt so in proportion as the parents realise what these studies are, and how they must tell upon unformed minds.

1999. You think that the Christian religious teaching of the colleges in the University is a solid and substantial part of the present University education?

It seems to me that there has been a considerable change, not so much of distinct

Rev. *E. C. Woollcombe.* 10th March 1871.

distinct legislation, but of temper and tone as to that teaching. To express myself perhaps a little more clearly, I mean that fewer Divinity lectures are given in my college than were given during the main part of the time that I was tutor there. I do not mean to put it down to my having ceased to be a tutor; still I think those which are given are less calculated to bring about my object.

2000. Is that change working in a similar manner in other parts of the University?

I believe that the number of Divinity lectures in colleges is rather diminishing. It is only fair to say, upon the other hand, that we have more Divinity professors lecturing than we had at the time I am referring to; and the lectures of some of them are largely attended, but they are attended rather by senior than junior students on the whole.

2001. If this Bill passes, do you think that those Divinity lectures will diminish in number?

Yes.

2002. Do you think that there will be more difficulty in the governing bodies of colleges entering upon the question of religious teaching at all, if they consist of persons of very various opinions?

Yes; it will be partly from that reason, and I also think it will follow a good deal from there being fewer clergymen who would be, though not the only, the most natural persons to give such lectures.

2003. This Bill does not affect the clerical fellowships?

It does not; but it does not secure the residence of such fellows. In my own college at this moment we are by law required to have four clerical fellows, but one is ceasing to be a fellow, and there are only two at this moment, so that at our next election we must of necessity elect a clerical fellow to complete the minimum. At present we have only two, whereas we are required to have four.

2004. It was stated to us by a previous witness, that persons who competed for clerical fellowships were persons of inferior intelligence, character, and morality, to those who appeared in competition for the fellowships which were not clerical; do you concur in that view?

I have had experience of one election to a clerical fellowship. Certainly the number of candidates at that election was not so large as it would have been for another fellowship, as it is obvious it was not likely to be; but we found a distinguished Hebrew scholar, a person who had also obtained the Chancellor's prize for an English essay, and we were able and very glad to elect him. Therefore, in my own experience, I have not found that the clerical restriction has deteriorated the quality of the candidate.

2005. Do you think that that opinion of the relative merit of clerical fellows is largely held in the University?

There is no doubt that at present the clerical fellowships are acquiring the name of close fellowships, from the fact that the competition for them is not so great.

2006. A set is being made at them?

Yes.

2007. Do you look upon the college chapel service as an essential part in the religious education of colleges?

I look upon it as most essential.

2008. As more essential than any other?

Much more.

2009. If you had to choose, you would rather retain that and abandon the rest, than retain the rest and abandon that?

Yes.

2010. I believe the attendance at chapel is not compulsory at your college?

No; of late years it has ceased to be so.

2011. Have you found any evil effect from that absence of compulsion?

It has most materially affected the attendance of the young men at the week-day services, but not much on Sundays.

2012. Do you think it has injured the tone of the college in any way?
We have not had sufficient time to test that, as the present rule has only been in operation about two years, I believe.

2013. Is there any kind of hostile public opinion against the young men who do attend the chapel?
No, not at all.

2014. Should you say that the majority of the college went, or stayed away?
It is a very small minority of the college that goes to the daily services in the week.

2015. How many?
This morning there were seven out of a college of 120; I speak of the undergraduates.

2016. Before the compulsion was abolished, I suppose the whole 120 went?
No; I held the office which is generally called the office of dean, and superintended this matter for very many years, and it was my practice, quite approved of by the college, to exercise a considerable discretion. Every one in the college knew that he was required to attend; I kept the requisition constantly before their minds, but I exercised large discretion as to the way in which I applied it to individual cases.

2017. The obligation was abolished, I suppose, by college meeting?
Yes.

2018. With the assent of the head?
Not with the assent of the head, as well as I can recollect.

2019. Was it abolished by a large majority?
Yes, by a considerable majority.

2020. But on Sunday you do not find that the effect has been very great?
On Sunday attendance is still required, but the requisition is not stringently applied.

2021. Do you think if the requisition was abandoned your number would sink to seven on Sundays?
No, certainly not, at present.

2022. Is the college chapel at an earlier hour than the undergraduates generally get up?
No, it is at eight o'clock on week days; on Sundays it is at a quarter to nine.

2023. How many Divinity lectures have you in the college?
At this moment, I believe, there are two Divinity lectures in the college, or at the utmost three.

2024. Every week?
Yes; every week.

2025. I think you said you would anticipate that the number of those lectures would be diminished if the Bill passed?
Yes.

2026. Do you think that the influence of the tutors in a college depends upon the lectures that they give, or is it more exercised out of the lecture hour?
I think it depends upon both, upon the ability and energy of the tutor as a lecturer, and upon his character as a man; I mean to say that I would not at all exclude from his influence that which is directly won by the capacity which he shows or does not show in his lectures.

2027. Do the undergraduates of your college mainly study by the help of the college tutors, or do they generally avail themselves of the help of private tutors?
Of late years there has been very little private tuition in our college compared with what there used to be; I do not say that there is none, but it has been largely reduced.

Rev. *E. C. Woollcombe.* 10th March 1871.

2028. The college lectures by an interchange between the colleges, or for other reasons, have become more effective than they used to be?
Yes; very much more effective.

2029. One of the witnesses told us that he thought that the college system was gradually disappearing in the University; should you say that that was the tendency of events?
Yes; I think so.

2030. Do you regard that as an advantage or an evil?
I regard it as a great disadvantage.

2031. Should you say that it would be still a disadvantage if this Bill passed?
Yes. If this Bill passed as it stands, I should hope that the colleges might be able to maintain their place, and to do their work. Although, in my opinion, it would give them a great blow, I do not think it would destroy their efficiency.

2032. Nor their utility?
Nor their utility.

2033. You would not be afraid, by reason of the college system, of greater powers and opportunities being given for anti-Christian teaching?
I think the position of tutors of the college would be more difficult. Both in what the Bill contains and in what it omits there is a great deal that I dislike.

2034. What changes should you propose in the Bill, both in the way of omission, and in the way of addition?
I should wish myself to have it specially secured that the college chapel should be used for the service of the Church of England exclusively.

2035. Are you aware that the Act of Uniformity does not contain any provision enforcing the use of the college chapels for the service of the Church of England?
Yes.

2036. But that its action is purely negative?
Yes.

2037. Should you propose to insert any definite provisions of a positive character with respect to the service?
I should wish to do so; I should wish to put it in the forefront of the Bill.

2038. Is there any other change you would wish to make?
I believe it is sufficiently secured by the Bill at present; but I should certainly like to bring in, in whatever way the wisdom of Parliament thought the proper way, this point, that the headship of a college should be clerical wherever it is clerical at present. I do not wish for any limitations upon lay headships where no limitations exist now, but I wish specially to secure the clerical headship where it now exists.

2039. I think there are only two colleges, are there, in which the headship may be lay; I do not speak of halls, but colleges?
I am not quite sure of that; certainly there are but few. But there is an effort being made at this very moment to open the headships of colleges to laymen.

2040. Is there any other alteration that you would like to see made in the Bill?
I wish just to mention what I think is the exceeding importance of maintaining the clerical fellowships as they are. It is this, that I do not see any other means of securing even a portion of the tutorships in the hands of members of the Church of England. I see great difficulties in doing this, and I do not want to fetter the colleges at all more than I am obliged; I think there will be very great difficulties in limiting the tutorships as distinguished from the fellowships to members of the Church of England; for this reason, that small colleges (such as that to which my experience is confined), can have but a small body to elect from. You have able men there, and when a person has been elected a fellow of the college and is intellectually perfectly capable of being a tutor, I think there would be a very great difficulty, a difficulty which would amount almost to an impossibility in excluding him from a tutorship, unless there was something against his moral character. Therefore, while desiring to have the tutorships in the hands of members of the Church of England,

England, I do not see my way to secure that object, except by maintaining the clerical fellowships. I should be satisfied with the clerical fellowships being retained at the amount at which they stand at present.

2041. Including the clerical headships?
Including the clerical headships, in order that there might be an opportunity given to the college of having at least a portion of its tutors clergymen.

2042. Subject to that exception, you would be content to open the tutorships to Dissenters without any test?
Yes; always understanding the word "Dissenters," as I was, I hope, correct in understanding it to mean, those who hold essential Christian doctrine; I should distinctly not wish to open fellowships to those who are not Christians.

2043. How would you exclude them?
I should exclude them certainly by some test, however devised; I do not want any more stringent test than would exclude a Socinian.

2044. Do you not imagine that the principal operation of this Bill, if passed as it stands, would be to admit persons who were on the other side of the Socinian line, rather than Dissenters who are within it?
I incline to think that it is a very possible contingency that at no distant time we might have persons of Socinian opinion as fellows of colleges, and possibly Roman Catholics. Such persons I have no desire to see as fellows, because I think that the unity of the college must be broken up by the introduction of these extremes; I think the direction at present is more on the side of Socinianism.

2045. There is no intellectual movement towards what is called orthodox dissent, is there?
I should think not.

2046. And consequently it would be rather the Socinians and the Roman Catholics, than the orthodox Dissenters, whom this Bill would in practice admit?
Yes.

2047. You would wish to exclude the Socinians by some test?
Yes, I should wish to exclude them from holding fellowships, and certainly from holding tutorships; but I say I do not see how I could exclude them as tutors, if I once admitted them as fellows.

2048. Do you think that any prohibitive enactment would be of any avail in preventing them, if they became tutors, from using their influence to propagate their opinions?
I am entirely opposed to interposing any new restrictions when a person has once entered a college. I think it must be before he enters the body that you must restrain him, and impose a test upon him. After he is admitted to it, I would treat him as an equal in all respects, and put no bar in his way whatever; if a Nonconformist he would already know that he was not eligible, as such, to a tutorship, appropriated to a clergyman.

2049. You do not think that any general prohibition applying equally to all fellows would be of any avail?
I do not mean that; I think that in order to compass my object of preventing Socinians from being tutors, it is necessary to have security with regard to the fellowships, that the fellows should at least conform to the Church of England.

2050. Do you think it would be desirable, in case the tests were abolished, to enable parents to remove their children from any tutor to whose teaching they objected?
Yes; but I do not think very much result would come from that unless the young man was removed from the college.

2051. There is still enough of the collegiate system remaining to place such a young man very much under the influence of a tutor?
Yes.

2052. You do not think that if this Bill passed the collegiate system would give a special advantage, such as it would not possess otherwise, to anti-Christian

Rev. *E. C. Woollcombe.*

16th March 1871.

teaching, from the power that it would give to small collections and cliques of men?

With such securities, slight in appearance, but, as I think, real in amount, as I have just now indicated, I should not fear for the issue.

2053. But assuming that no test was possible of any kind?

Then I certainly think that the colleges might be perfectly abused from their present purpose, and from their original intention.

2054. Lord *Stanley of Alderley.*] Did you ever hear it anticipated that the week-day chapel would be abolished in Balliol after the compulsory attendance was abolished?

No.

2055. Lord *Houghton.*] Has there been any agitation in any of the colleges on the abolition of the week-day chapel?

Not that I am aware of.

2056. Do you regard the week-day chapel as bearing much on the Sunday service?

Yes, I think it does.

2057. Has it more effect than a habitual attendance upon week-day services would have upon the Sunday service in ordinary life?

I do not mean more than that, but I think the two things go together when there is an opportunity for both. I think young men who are encouraged to attend daily at the morning services are seldom absent on Sunday.

2058. Do you not think that an over-familiarity and consequent disregard might be engendered by making the daily service something in the nature of a roll call?

I admit the danger if it were treated as a roll call, but that of course is removed when the attendance becomes voluntary. If I held the position of tutor under the voluntary system, I should encourage my own pupils, subject to discretion, to go to the daily service.

2059. Lord *Lyveden.*] What do you think is the state of opinion as to the repeal of these tests in Oxford now?

It is very much as was mentioned by a witness from Cambridge just now. I think we are divided about half and half among the residents.

2060. What is it among the young men?

I do not know.

2061. Do you agree with the last witness that in Oxford as in Cambridge the attendance upon the chapel is a wholesome religious observance rather than a part of the education?

I think it is not very easy to separate between the two. Of course it comes first directly as a religious observance, but I think (and that is one reason that I lay so much stress upon it) that it has a very direct bearing upon the education of the men also.

2062. Is it not regarded by the young men as a muster roll, required by academical discipline?

It is not now, nor should I say that it was at any time within my experience. Of course I cannot say exactly how they regarded it, but I do not think they had any reason to regard it as a muster roll.

2063. Have they much religious feeling about attendance at chapel?

Many have.

2064. Have the majority?

I can best answer that by saying that in the long experience I have had, I have met with very few young men who have shown any resistance to it as a religious observance. Many did not wish to come on a particular morning, of course.

2065. Earl of *Morley.*] Do you think there is any danger, in the event of this Bill being passed, of the service of the Church of England disappearing from the college chapels?

I think unless it was guarded carefully it might do so, because there is hardly anything

anything which a college cannot do now subject to the consent of the visitor, and in some rare cases the further consent of the Privy Council.

2066. As long as the Church of England was predominant in the University, would not public opinion be too strong for that?

My reason for wishing an exclusive use of the college chapel for the service of the Church of England to be preserved by the Bill is this, that I wish it to be brought out that the college is a place of religious education. I see great difficulty in securing that end in many ways, but I think the college chapel is, to speak plainly, the pivot upon which the whole system turns, and from which it can be best and most satisfactorily worked.

2067. You propose that in the case of fellowships some new tests should be devised; do you think that the tests at present existing have succeeded in excluding all whom they were intended to exclude?

I think they work very beneficially. I have heard it expressed as an advantage of the present test, that people bear old fetters better than new ones. For myself, if I had the work to do *de novo*, I should be content with a much wider test than that of the Thirty-nine Articles; but I do not advocate a change in the test because I think the present test might be retained, while I doubt, whether either as regards the University or the colleges, your Lordships would be inclined to propose or adopt a new test.

2068. Earl *Beauchamp.*] With regard to the attendance at the college chapel, while it may be found irksome, and regarded as a roll call by those men whose instincts are not religious, yet on the other hand you say you have found it very beneficial indeed for that large class of men whose instincts are not developed, and whose opinions are not very much formed either one way or the other?

I believe that it is felt to have been very beneficial in after life, long after the men have left college. I have no doubt that it is only a few who would perhaps avow at the time that they had derived direct benefit from it; but I submit that if a thing is good, and if it is no strain upon the conscience, the elder are better judges than the younger men of its advantages.

2069. In the term "education," you would comprise not merely the college lectures, but the whole system of the college, of which the services form a part?

Yes.

2070. And you would consider it a very narrow interpretation to restrict it merely to the lectures given by the tutors?

Certainly.

2071. Lord *Colchester.*] You stated, I think, that a Presbyterian was a fellow of your college; and that he had had no difficulty in taking the test?

Yes, one who, I believe, was brought up as a Presbyterian.

2072. I think the test does not generally exclude Presbyterians, does it?

No.

2073. In fact I think the University Commission specially mentioned that members of the Church of Scotland had signed the articles?

That may have been mentioned by them; it is the fact.

2074. Therefore it is a less strict test, in some respects, than requiring avowed membership of the Church of England?

Yes.

2075. As to the studies which were alluded to, have you lately taken any part in examining for the final classical school?

I did some years ago.

2076. How long ago?

It is a long time ago now; more than 20 years ago.

2077. That was at a time when the examinations were not in the same form as at present?

Yes.

2078. I think I am right in saying, that none of the modern authors which have been referred to were taken up as books?

Rev. *E. C. Woollcombe.*

10th March 1871.

Yes, you are right.

2079. I believe the books taken up were either Aristotle and Plato, or, among modern authors, Bacon, and some part of Butler.

Yes.

2080. But since that time the modern authors have increased in proportion to the ancient?

More modern authors are read.

2081. When you said you wished to see a balance introduced into those studies, did you refer to the introduction into the examination of such works as Butler's?

No; I meant in case of books that Christians would call infidel being used; for example, on moral philosophy; I should not wish to exclude such books if the teachers on such subjects thought them useful, but I think it essential that Christian teaching should be added to supply what they might overthrow.

2082. In the same way a teacher upon ethics might here and there modify the teachings of Aristotle by referring to the teachings of the Christian Church?

Yes; but there would be much greater need of it in the other case.

2083. The wider the study, the more important you think it would be that there should be some security for the religious character of the teacher?

Yes.

2084. *Chairman.*] Is there any other point which you would like to bring before the notice of the Committee?

I wish to call the attention of the Committee to a point which is not very serious, but which I think involves a question of justice. The endowments in my own college, for instance, which was a pre-Reformation college, have been increased very considerably since the Reformation to the extent of three fellowships out of 12, and of considerable bequests in the shape of exhibitions; and though, for the reasons I have stated before, I should look rather to the success of a general test than to specially securing these foundations now to the Church of England, for which alone they were founded, still I think it is important to call the attention of the Committee to the large amount of endowment which has been given to the colleges, of which my own is a strong instance, since the Reformation. I do not for one moment give up our claim as members of the Church of England to the pre-Reformation endowments, but I think we have a most indubitable claim to the endowments which have been given to us since the Church of England has been reformed in conformity with our present opinions.

2085. Has your college been entirely recast by the Commission?

It has been a good deal altered. Our college was an entirely clerical college when I first became a member of it, with this limitation, that no fellow was required to take holy orders until seven years after taking his Master's degree. Two persons now living held their fellowships for seven years from that time, that would be about eight or nine years altogether, and then vacated them. With that modification, at that period, we were entirely clerical. Now we have only four out of 11 fellows who are necessarily clergymen.

2086. Have these endowments been kept sufficiently severed from the rest to be capable of an exception from the provisions of the Bill?

Some of them have been. I do not mean to lay great stress upon the point; certainly in Oxford it is not a question on either side as to the property which is held.

2087. The question in issue is not one of property, but of power and teaching?

Yes, it is really the Church of England character or the non-Church of England character of the colleges.

2088. And wider still, of Christian or of non-Christian character?

Yes; I am much obliged to your Lordship for the correction.

2089. You

2089. You would be, upon the whole, satisfied with any Bill which passed which should give large and liberal access to all endowments to Dissenters if it preserved unimpared the Christian character of the teaching?
Yes.

2090. Have you anything more to say?
No.

The Witness is directed to withdraw.

Ordered, That the Committee be adjourned to Tuesday next, at Twelve o'clock.

Die Martis, 14° *Martii*, 1871.

LORDS PRESENT:

Duke of SOMERSET.	Earl of KIMBERLEY.
Marquess of SALISBURY.	Lord COLCHESTER.
Earl COWPER.	Lord ROSEBERY.
Earl STANHOPE.	Lord STANLEY OF ALDERLEY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl of MORLEY.	Lord HARTISMERE.
Earl BEAUCHAMP.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

THOMAS WARAKER, Esquire, LL.D., is called in; and Examined, as follows:

T. Waraker, Esq., LL.D.

14th March 1871.

2091. *Chairman.*] I THINK you have paid a good deal of attention to this Bill?

Yes, I have paid considerable attention to it. I have taken a good deal of interest in it, and have also devoted some time to making myself master of its details.

2092. You are secretary, I think, of a society in London for opposing some of its provisions?

No, not in London. I have nothing to do with that society officially.

2093. You live at Cambridge?

I live at Cambridge.

2094. Will you tell me, setting aside for the moment the question of opposition to the whole provisions of the Bill, what portions of it, if any, which you think are susceptible of amendment in a sense that would make it less injurious, in your judgment, to the Church of England and to the Universities?

I am bound to say, in so far as individual feeling goes, and with regard to the feelings of those with whom I act, that we are opposed to the whole principle of the Bill; but, at the same time, I do think that there might be some modifications of the Bill, which would render it less fatally pernicious than we conceive that in its present form it would be.

2095. Will you tell me what these modifications are?

The modifications which I should suggest would, I think, be somewhat covered by the preamble of the Bill. If the enacting clauses were to be rendered conformable to the preamble of the Bill, I think we should have to make many modifications. It appears to me that the preamble and the enacting clauses do not coincide. I think that we are entitled to consider the preamble of the Bill as specifying what the objects are intended to be. The Bill now proceeds, I believe, from the Government. As such, it is not allowed to me to suppose that the terms of the preamble are intended not to be genuine; but I think that the safeguards, so called, that are maintained will hardly be of any genuine efficacy. I should say, as the first point, that it would be necessary to retain Section 13 of the Act of Uniformity, which in many editions, and in the edition which, I think, is mainly in the hands of the world at large, is Section 17; that

T. Waraker, Esq., LL.D.

14th March 1871.

is according to Ruffhead's edition. I allude to the section which provides for the sole and exclusive maintenance of the worship of the Church of England in college chapels.

2096. Is that an accurate description of the 13th section?
I think it is an accurate description of so much of it as I have yet referred to.

2097. Is not the 13th section a section forbidding the celebration of any other service than the service of the Church of England in college chapels?
I intended to convey that by the words "sole and exclusive," in my last answer.

2098. Is there anything in the 13th section to forbid the service being omitted altogether?
No, I am not aware that there is. That is implied in the section, but a discontinuanee of religious worship is hardly prohibited by that section; I should say that it is prohibited by implication, but not expressly.

2099. Then your first recommendation is, that Section 13 or 17, as the case may be, of the Act of Uniformity should be retained in vigour?
Yes.

2100. Should you prefer that to any new enactment with reference to the maintenance of the service in the college chapels?
I should be glad to see a positive enactment included in the Bill, that the religious worship in the college chapels should still be maintained.

2101. It would be necessary, would it not, if such an enactment were made, that some power of dispensation should be given to some authority to avoid accidental difficulties?
Do I understand your Lordship to mean in respect to certain individuals who might object to attend the chapels.

2102. Partly with respect to that case, but also to provide for such a case, for example, as its being wished to use a shorter service, and not to use the whole of the service every morning?
Possibly; but, as a layman, I think it is hardly for me to say whether it would be proper that the service should remain in its integrity, or that it should be shortened in some degree.

2103. You are aware that in many college chapels it has been the practice to use a shorter form?
Yes; I believe so.

2104. Will you now proceed with any other amendments which you propose to make in the Bill?
Yes; I would also point out that in Section 3 all declarations are abolished as qualifications to holding any office in either a college or the University; and not only are declarations abolished, but also "oaths as to religious belief or profession, conformity to religious observance, attendance at or abstinence from attending any form of public worship, and belonging to any specified church, sect, or denomination." Now, it appears to me that if the clause stands so fully and in such an unqualified manner as it now does, it will not be conformable with the preamble of the Bill, and we shall have the evils of persons who may be of any creed whatever, or of no creed, acting in the discipline and government of colleges which have a kind of parental character. It appears to me that the essential and distinctive character of the English universities and their colleges, lies in the collegiate system, which is a kind of family system; and I think it would be most pernicious that we should have young men at the most important period of their lives subjected to the variety of influences which would in that manner be brought to bear upon them. In the small colleges we should in a very short time have fellows who would belong to different creeds, some being of no creed, and others differing in creed. The result of that would be, I think, very fatal to the religious belief of the young men. We should have it inculcated practically that all religions were equally true, and I think it would be only another aspect of that proposition to say that all religions were equally false.

2105. Apart from your belief in the Church of England as holding the truth, you,

you think that the mere existence of diverse forms of teaching would in itself be fatal to the faith of the young men who lived in the college?

I think so, decidedly.

2106. And you would think that it would be less injurious that they should be taught some form of Christianity which you yourself did not entirely agree with, than that they should be thus exposed to controversial and uncertain teaching?

I should, but that I conceive would involve a test of some kind; I should, therefore, suggest that there should be a qualification imposed upon these offices, and that (if we are to consider fellowships as simply prizes, and as belonging to the person who obtains them) there are certainly offices in the University which involve duties and trusts. In the first place, duties of government; I mean by "government," the discipline and general government of the young men, as apart from the financial government. Now, I think that all offices which involve any part of the discipline of colleges ought to be in the hands of churchmen, and I should suggest that such a declaration ought to be made as would protect us in that respect.

2107. Supposing that the majority of the undergraduates belonged to a denomination that was not the Church of England, should you still think that the teachers should be churchmen?

Yes.

2108. On what ground?

On the ground that the colleges are places of religion, and that I cannot conceive that a place can be a place of religion unless we have a determinate creed; I do not think we can very well have a variety of creeds; I do not think, again, that we could, with advantage, vary the creed that should be the recognised creed of a college, according to the creed that the majority, for the time being, of the fellows held; nor, *à fortiori*, according to the views that might be held by the young men from time to time; I think such a fluctuation would be excessively mischievous, even if it were a possibility that we could work the college discipline on such a system.

2109. Then your view would be, that if there was one tutor a Roman Catholic, and another a Socinian, the end would be that the young men would believe nothing at all?

I think so; it appears to me that that is a high probability.

2110. Then you would have a declaration that would secure that those who had charge of the discipline of the young men should be members of the Church of England?

Yes; that is my meaning.

2111. Do you think it would be a possibility to obtain that security without a declaration?

I cannot myself conceive any other way in which it might be obtained.

2112. In some statutes that have been recently issued for the public schools, it has been simply enacted that persons holding similar positions there shall be members of the Church of England; do you not think that that would give as much security as a declaration?

No, I can hardly think so, because it appears to me that when a man has made a declaration, he is, at least in honour, bound to abide by that declaration. I do not conceive, in the first place, that there would be many men who would make that declaration not believing it to be true; and, in the second place, if there were such men, I believe that, even if there were no other restraint, regard for their own reputation would prevent them from teaching anything that was contrary to the Church of England; and even if they were to attempt to teach anything of that kind, I believe that their teaching would have very little weight indeed, because they would be openly convicted of dishonesty. Therefore, although it must be admitted that all tests in themselves must share in the imperfection of other systems, yet I think a test system is as good a system or a better one than any other that I can think of. I scarcely see how a mere enactment that persons should be members of the Church of England would be made operative, unless there were some practical mode of carrying out the enactment. I can only conceive of two modes in which it might be done. One would be by

T. Waraker, Esq., LL.D.

14th March 1871.

an antecedent declaration, and another would be by a penalty, the penalty of expulsion. I should myself much prefer the antecedent declaration.

2113. We have received evidence to the effect that the test at Oxford, at least, has produced so much exasperation in the minds of those who do not entirely agree with it, that they take it without reference to its conformity to the actual convictions in their mind; have you any knowledge of such a state of things at Cambridge?

I have heard it said, in one or two instances, that that has been the case; but I hope I may say that only in a very few instances do I believe it to have been the case.

2114. You think that the feeling of honour, to which you referred, does operate upon the minds of those who take the test, and, even if they change their opinions, prevents them from giving effect to that change in their teaching?

I think so, decidedly. I may mention that I know personally an instance where that declaration did exclude a person from applying for an office; it was not in the University, I should say, but he had to make a declaration that he was a member of the Church of England, and he came to me to consult me as to the propriety of his applying for it. When I showed him the declaration, he at once gave up all idea of competing for the appointment that I allude to. He told me that he was not a Christian, and that however slight the declaration was, he could not in honour take it. I should think, therefore, that that is evidence that declarations do exclude men of honour from taking office, and that qualifications are efficiently tested by antecedent declarations.

2115. Is there any other alteration in the Bill which you would wish to recommend?

I should also recommend that there should be a declaration made by professors. As to professors of Divinity, I think that they should certainly make the declaration that at present exists, namely, the declaration of conformity; I think that Sir Roundell Palmer's declaration would be satisfactory for other professors. I do not think that that declaration would, perhaps, be so satisfactory for members of colleges participating in the government of the college, but I think that for the professors it might be satisfactory.

2116. I believe that at Cambridge you have a special case where a degree in Divinity does not protect a Professor of Divinity; is not that so?

There are four Professors of Divinity at Cambridge, the Regius Professor, the Lady Margaret Professor, the Norrisian Professor, and the Hulsean Professor. The Hulsean Professor must be in Holy Orders, according to the statutes of the foundation. The Regius Professor must be a Bachelor of Divinity or a Doctor of Divinity; and, as that degree at present stands, that would secure the Regius Professor being in Holy Orders; but the Regius Professor must be in Holy Orders, not as a direct qualification, but only indirectly, his direct qualification being that he must be a Bachelor of Divinity or a Doctor of Divinity. Now it might quite well come to pass that by University legislation, which would take the form of a grace brought forward by the Council, and passed by the Senate, and then brought before the Queen in Council for sanction, a Bachelorship or a Doctorship in Divinity might no longer be a protection, inasmuch as the necessity of Holy Orders might be removed from the degrees.

2117. Do you think that it would be desirable to leave the question as to whether professors, or fellows, or heads of colleges should take Holy Orders, to the decision of the Universities and colleges themselves, or would you not prefer for the sake of avoiding agitation, that Parliament should undertake the decision of such questions itself?

I should most strongly prefer the latter; I think it would be extremely mischievous that the matter should be left within the reach of University or of college legislation. So far as professors are concerned, of course it would be matter of University legislation rather than college legislation, but I should be very glad if Parliament would settle it for us, so that we should not have the agitation we are very likely to have in consequence of this measure being passed.

2118. You agree with many witnesses who have given evidence upon the subject, that such agitation is most detrimental to the studies of the place?

I think it is very greatly detrimental.

2119. Is there any other point in the Bill which you would desire to see altered?

Yes, I should also be very glad to see the clause which was inserted in the original Bill of last year reinserted; it would come in page 2 of the Bill. I think it appeared as the third exception; I allude to the clause relating to the headships. I think it is most desirable that the *status quo* of the headships should be maintained.

2120. At Cambridge, I believe, there is only a moiety of the heads who are compelled to take Holy Orders?

Only a certain number of them are compelled by their college statutes to take Holy Orders. I would also say that I do not like to see the sole and exclusive safeguard that we have consist in the test of Holy Orders. I think that it is most desirable that the test of Holy Orders should remain, and that the predominant character of the Universities and their colleges should be clerical; but I should be sorry to see that the Church should be so dissociated from the laity as I think would be the result or the probable result were it to be the case that the only safeguard for the maintenance of the Church character of the colleges should consist in the fact that a certain number of the Fellows should be in Holy Orders. I should greatly like that some of the lay members of the Colleges holding offices should always be members of the Church of England. I would further remark that Sub-clause 1 in Clause 3 appears to me to have but very little operation, since there are but very few offices, as I have mentioned (in the University, I think there are only two, and in the colleges, I believe, there are hardly any) which absolutely require Holy Orders as a qualification. In most cases there are alternative qualifications. Now, as a matter of construction, I cannot help feeling that these will not be saved, and that this clause, that "nothing in this section shall render a layman or a person not a member of the Church of England eligible," will have no operation in any cases where Holy Orders are a qualification alternative with some other qualifications, which, I think, will be found to be the case with nearly every office in either college or University. Referring to the words that "nothing in this section shall render a layman or a person not a member of the Church of England eligible to any office, or capable of exercising any right or privilege in any of the said Universities or colleges, which office, right, or privilege, under the authority of any Act of Parliament, or any statute or ordinance of such University or college in force at the time of the passing of this Act, is restricted to persons in Holy Orders," it appears to me, as a question of construction, that that would apply only to cases where Holy Orders are the sole and exclusive qualification, and not to cases where Holy Orders are alternative with some other qualification.

2121. Then do you mean to say that that clause would be so construed as to abolish the obligation of Holy Orders in those cases where it was an alternative?

I think so.

2122. And to abolish, in fact, the restrictions altogether?

I think so.

2123. What are the alternatives that are usually allowed in the case of colleges, for instance?

The alternatives vary slightly in different colleges. I think I may say they are these: in most colleges, if not in all, there is an alternative qualification to Holy Orders, consisting of this, that if a person holds certain offices in the University he may retain his fellowship without the obligation to enter into Holy Orders. In a great number of colleges the holding office in the college has the same effect; in one college (I speak of Queen's College), I understand that if a person holds certain college offices he may retain his fellowship as a layman for so long as he holds that office, otherwise he will hold his fellowship for 10 years. During the holding of office his tenure is interrupted, and begins to run again as counting from the time when he ceased to hold the office, if he quits that office. I should mention that there is further, in some of the colleges, a power in the hands of the master and fellows to admit to fellowships, or to admit to a continuation of fellowships, persons who are eminently distinguished in literature or science. I think that these alternatives would have the operation which I have suggested.

T. Waraker, Esq., LL.D.

4th March 1871.

2124. But they would not have the operation of getting rid of the restriction altogether, so that a fellow might neither take Holy Orders nor be a person eminent in literature or science?

I am not quite convinced of that.

2125. Have you drawn up any words which you think would meet that difficulty?

I have made a rough sketch of some words as indicating pretty nearly the course that I thought the clause might take. Instead of the words, from line 29, "Nothing in this section shall render a layman," I would insert these, "no layman or person not a member of the Church of England shall, after the passing of this Act, be eligible to any office." Then the clause will run on, "or capable of exercising any right or privilege in any of the said Universities or colleges, which office, right, or privilege, under the authority of any Act of Parliament, or any statute or ordinance of such University or college in force at the time of the passing of this Act, is restricted to persons in Holy Orders." Then I insert the words, "Nor shall any obligation to enter into Holy Orders, which is by such authority attached to any such office, be hereafter removed by any University or college statute or ordinance hereafter to be made."

2126. That applies to another point, namely, the question as to the power of a college to alter its statutes?

Yes, that is true; I wrote it with a view to that. I have hardly provided for the particular point which I mentioned just now in this amendment.

2127. Is there any other point which you desire to mention?

Yes. In section 3, line 25, there are these words, "nor shall any person be compelled in any of the said Universities, or any such college aforesaid, to attend the public worship of any church, sect, or denomination to which he does not belong." I should be very glad to see that sentence removed, and for this reason: at present I believe in no college in Cambridge is a person compelled to attend the worship in the college chapel if he does not belong to the Church of England, that is to say, provided he expresses his desire not to attend. But it is a very different thing that a college should, by itself, and of its own act, make an exemption, and that it should be made by a legislative provision. It appears to me that this clause would have an injurious effect upon discipline, inasmuch as it would afford a ground for a young man who was disposed to set the college authorities at defiance, to repudiate the obligation to attend chapel by virtue of these three lines, even although his parents might wish him to attend.

2128. Then you would prefer to alter the words, so that the parent, and not the young man, should decide whether he should attend chapel or not?

Certainly, if the clause is to be retained. I cannot help thinking that the clause is redundant to any good effect, but that it may have a mischievous one.

2129. Is there any other point you wish to notice?

I would mention section 4 of the Bill. It has been said that that affords a very ample safeguard, but it appears to me that when it is taken into connection with the schedule which repeals section 17 or 13 of the Act of Uniformity, it becomes wholly nugatory.

2130. You do not think that it is of any value at all?

I do not think it is as the Bill now stands, that is to say, when taken in connection with the repeal of certain of the Acts mentioned in the schedule.

2131. You do not think it would operate as an instruction to the fellows in their elections to fellowships to regard the objects of the college as a place of religious instruction and worship?

I think hardly so; and I hold that opinion very much, for this reason, that the Bill would have, I conceive, an indirect operation as well as a direct operation. In addition to the direct operation of removing nearly all our tests peremptorily, and permissively repealing the rest, it will also have this indirect operation, that it will be taken as an indication of general feeling. Legislation, no doubt, influences sentiments at the University as elsewhere; and it will, therefore, be said, this Bill is an enabling Bill, and the object of the Bill has been to set free the colleges and the Universities from all restrictions whatever on account of religion. We are, therefore, acting loyally according to the spirit of the Act if we do not have regard to religious qualifications, but dispense with them

them altogether. Therefore, I think, that passage will hardly act as an instruction to fellows in the way your Lordship suggests. *T. Waraker*, Esq., LL.D. 14th March 1871.

2132. You do not think that the distinct words implying that the Act is not meant to interfere further than it expressly states will be regarded, but that the Act will be made to interfere further than it expressly states?

Yes; I cannot help thinking that that will be the effect, because it appears to me that these words go no further than saying that the Bill is not to do more than it has already done, and that is, that it has absolutely repealed most of our tests, and it has given to the Universities and the colleges the power to repeal those which remain.

2133. Is there any other amendment which you would wish to suggest?

No; I think that those exhaust the comments that I have to make on the Bill.

2134. Duke of *Somerset.*] As I understand your evidence, you object altogether to this Bill?

Certainly.

2135. You would rather reject the Bill altogether; is not that so?

Unquestionably. I object to the spirit of the Bill.

2136. Therefore what you want is, in adopting the Bill, to introduce some tests that are not at present in the Bill, as I understand; that is, some additional tests, even to what we have at present?

May I speak frankly?

2137. If you please?

Objecting most strongly to the whole principle of the Bill, I am given to understand that a Bill will certainly pass in this direction. That being the case, I must look at it in a practical way, and I must endeavour to say (I have put this as giving my own honest opinion upon the case) by what means I think that this Bill could be rendered less pernicious than I take it to be as it stands.

2138. Do you think that the persons who are anxious to pass this Bill would be content to take the restrictions upon the Bill which you propose to introduce?

The Bill comes now, not from below the Gangway, but from Her Majesty's Government; I must therefore take the whole Bill to be a serious Bill. I cannot impute it to the Government that they intend to make the Bill other than what they have expressed its object to be in the preamble. I think that the suggestions that I have made would bring the Bill into accordance with the preamble, and would not go further than the preamble itself goes. As to whether the House of Commons would consent to the restrictions which I have suggested; of course I am not at all competent to pronounce an opinion; I can only say that it appears to me that when an attack is made upon the existing state of things, there will usually be some compromise to be effected. If I am right in supposing that the Bill does produce mischievous effects, I can hardly suppose that when those effects have been pointed out, and when it has been pointed out that the enacting clauses do not coincide with the preamble of the Bill, the House of Commons would say, "This is a Bill that we have brought forward; we will not listen to any instruction or any information as to its effects, and we will not allow any modifications of it; we have the power to pass the Bill simply, and we will do it." That appears to me to be the language perhaps of confiscation, but hardly of statesmanship. I can scarcely think that I am justified in supposing that the House of Commons would simply and absolutely assert, "We will not submit to any modifications; we will not hear anything that may be said against the Bill."

2139. Do you think that the Bill does not protect the teachers of Divinity?

I think it protects them very inadequately indeed.

2140. Should you then be satisfied if the teachers of Divinity were clearly and distinctly protected in the Bill; you are not satisfied with the Bill at all; you would rather reject it; but considering that there must be some compromise, I wanted to know whether that is a compromise which you think might be fairly

T. Waraker, Esq., LL.D.

14th March 1871.

fairly made in order to meet the different views of different persons upon the subject?

As to that compromise, so far as it goes, that is to say, as respects the professors of Divinity, I would say, yes; but I should not understand that they alone were the persons to be provided for. There are professors of other studies, who, I think, ought to be members of the Church of England.

2141. What other studies?

I am inclined to think the professor of Moral Philosophy, and I think also the professor of Modern History, should be members of the Church of England.

2142. You think the professors of Philosophy and History should be Churchmen?

I think so.

2143. Are those professors, now at Cambridge, necessarily members of the Church of England?

The professors of Moral Philosphy and Modern History are at present members of the Church of England. The professor of Moral Philosophy is Professor Maurice, who is a clergyman.

2144. Is that professor necessarily a clergyman?

No; he is not so, necessarily.

2145. What test is he obliged to take as a professor?

At present, I believe, he has to take the test of conformity; that he will conform to the worship of the Church of England. I think I am right in stating that.

2146. Are the scientific professors also to be orthodox?

Of course I should myself prefer it.

2147. Do you expect to carry such a requirement; take the Geological Professor, for instance; in the first place, is there a Geological Professor at Cambridge?

Yes; I should think it was really very important that he should be a member of the Church of England.

2148. Is he now a member of the Church of England?

Yes, I believe so. He certainly must be, because he is a fellow of Trinity.

2149. But is he so, necessarily, as a Professor of the University?

I think I am right in saying that at present all professors must be members of the Church of England.

2150. Earl of *Carnarvon*.] Did I rightly understand you to say that you would divide practically the professors into three classes; the professors of Divinity, the professors of Modern History and Moral Philosophy, and the other professors generally; I mean with regard to tests?

No, not at all; I did not say that; my desire was that there should be a test for all professors.

2151. One uniform test?

Yes, one uniform test. I should like to see, of course, the professors of Divinity retained in Holy Orders; they are all now in Holy Orders as a fact, and two of them, namely, the Regius Professor and the Hulsean Professor, must be in Holy Orders, in consequence either of a direct or an indirect test. The Regius Professor must be in Holy Orders, because he must be a Bachelor of Divinity or a Doctor of Divinity.

2152. Assuming that the professors of Divinity were persons in Holy Orders, would you be satisfied, with reference to the other professors, that Sir Roundell Palmer's proposed declaration should be adopted?

Yes, I think so; I think that that would probably be sufficient.

2153. You remember the nature of that declaration?

Yes, I do; I think it is; "I, A. B., do solemnly and sincerely declare that as professor of ———, and in discharge of the said office, I will never endeavour, directly or indirectly, to teach or inculcate any opinion opposed to the Divine authority

authority of the Holy Scriptures, or to the doctrine and discipline of the Church of England as by law established."

2154. The application of that declaration to all professors in the University over and above the professors of Divinity, would meet your views upon that particular point?

Yes, I think it would, as being a practical solution of the difficulty, and I should suppose it would be one that could not fairly be objected to on the other side.

2155. Lord *Colchester*.] I understand that what you consider is that the clause in the preamble, stating that it is desirable that "disabilities should be removed under proper safeguards for the maintenance of religious instruction and worship in the said Universities, and the colleges and halls now subsisting within the same," is not carried out in the Bill as it at present stands?

I consider that the proper safeguards are not carried out by the Bill.

2156. And do you think that if the professors of Modern History and Moral Philosophy were secured as members of the Church of England, and also some provisions made for the tutors of the colleges being members of the Church of England, the object would in some degree be carried out, which, as the Bill stands, is not carried out?

Yes, it would be in some degree carried out.

2157. I suppose you consider that two subjects which may touch so closely upon religious matters, as moral philosophy and modern history, are subjects where special safeguards are required?

I think those are the two subjects which most closely approximate themselves to theology.

2158. I suppose every professor now is almost always a Master of Arts, is he not, of the University?

Yes; I think so.

2159. Therefore, as a Master of Arts he would have taken a test?

Not necessarily at Cambridge; the qualification is different at Oxford from what it is at Cambridge. At Oxford, I believe, no one can take his degree of Master of Arts unless he has taken the test of the declaration of conformity, but at Cambridge persons may take that degree either in the ordinary way when they take the test, or as non-declarants.

2160. In the latter case they have no vote, have they, in the senate?

They have no vote in the senate in that case.

2161. But I suppose a professor is almost always a person who has a vote in the senate, and who has therefore taken the test in the ordinary way?

I am inclined to think so.

2162. Therefore your test would be in no way a new one, as was suggested. It would in no way involve subjecting persons to tests who had not taken them?

The test as to professors which I proposed, is a relaxation of the present system, a declaration by a professor that he will not use his office to the prejudice of the Church of England.

2163. I mean that the persons who would be liable to that test, are persons who now have probably taken the test on taking their degree, but who will cease to have taken it under this Bill?

Under this Bill they will have ceased to take any kind of test.

2164. Have you any opinion as to whether it would be desirable to draw a distinction between the post-Reformation and the pre-Reformation colleges?

I must confess that I do not agree with the doctrine that I have heard broached, that the pre-Reformation colleges belong to the Church of Rome, and that therefore the Church of England has nothing to do with them; I know that some people do think that there is a difference between the colleges in that respect. There are some colleges at Cambridge, three certainly, namely, Downing, Sydney Sussex, and Emanuel, which are entirely post-Reformation, and I think I am right in saying that every college is partly post-Reformation.

T. Waraker, Esq., LL.D.

14th March 1871.

2165. Then supposing the Bill to be applied to the other colleges of the University, may not a special claim be put forward for those post-Reformation colleges, as being Church of England endowments in the same sense as any endowments of the present day might be Dissenting or Roman Catholic endowments?

I think, decidedly, there would be an apparent argument, at all events, of that kind. It would be much more strong as applied to the post-Reformation colleges, because that, which I confess I think is a fallacy, would not apply to the post-Reformation colleges. The fallacy I speak of is, that the donations were made to the Church of Rome, as the Church of Rome, and not to the Church of England, as by law established. I should hold, for my own part, that there has been no solution of continuity, and that the donations have always been given to the Church of England, and that the Church of England remains the same Church now as it was before the Reformation.

2166. In the face of the probability that a very large change would be made in the University by the Bill, do you think that it would be a valuable security to the Church of England that such a distinction should be drawn, and that her right to the post-Reformation colleges as denominational endowments should be asserted?

I should be glad to see that in the nature of salvage. If we are to understand that everything is to go, and that we must take what we can get, I should be glad to see that left to us, rather than nothing.

2167. And then the wishes of those parents who might desire a denominational education, and of those who might desire an undenominational education, for their sons, would be met by different colleges in the University. Would not such a distinction be drawn, provided some colleges carried out the views of those who desired a strictly denominational system, and others carried out the views of those who did not?

I do not think it would correspond with our views. Although, certainly, as I said just now, we should be glad to have that rather than nothing, we can hardly accept it with anything like satisfaction.

2168. Then it is not an amendment which you would wish to see made in this Bill?

I hardly think so myself; I think I mentioned that although there were only three colleges at Cambridge which were exclusively post-Reformation, yet that there have been post-Reformation endowments at all of them, and the question will arise whether we are to understand that all post-Reformation benefactions are to be saved to the church.

2169. That would be a question of detail, which would have to be considered in applying the principle?

Yes; that, of course, would make a very considerable difference in the value of the proposed change. I ought also to mention that if that were the case, we should have to strike out the University of Durham altogether from the application of the Bill, because Durham was founded for the Church of England precisely as it now exists; it was founded almost, in fact, within this generation.

2170. You mean that a general clause put in, saving post-Reformation endowments, would carry the University of Durham?

Altogether; it would except that University from the Bill.

2171. Earl *Beauchamp*.] Will you be good enough to refer to the Act of Uniformity, and turn to section 8 of that Act?

I have it.

2172. In that section you find these words, "Every public professor and reader in either of the Universities shall subscribe the declaration following"?

I do.

2173. In the declaration following there occur these words, "and that I will conform to the Liturgy of the Church of England as it is now by law established"?

Yes; I find those words.

2174. Other parts of that declaration have been altered by subsequent statutes, but you believe that that part of the declaration remains unaltered?
I believe so.

2175. Therefore there is a statutory obligation upon all professors and readers in either University to conform to the Liturgy of the Church of England?
Yes. May I be allowed to add one remark, and that is, that that section of the Act is repealed in the schedule.

2176. Lord *Rosebery*.] I daresay you observed that there was frequent mention of the question of the abolition of University tests on the occasion of the last Parliamentary election?
Yes.

2177. May we not, therefore, consider the House of Commons as having been in great measure elected in view of the question?
I should hardly have thought that the question was brought forward so prominently that we could say that Members were elected upon it. It was, I am aware, put forward upon the hustings, as one amongst many questions, but I should hardly have assigned to it so very prominent a position.

2178. At the same time, whether that is so or not, you will observe that there have been several attempts to make modifications in the Bill now before this House when it was in the House of Commons?
Yes.

2179. Are you aware that a considerable minority of the House of Commons pressed for a modification of the Bill in the sense of a more complete abolition of tests than this Bill would provide for?
I am.

2180. Do you, therefore, think that in that view of the state of public opinion the alterations you have proposed in the Bill would be practicable, for you are here to consider practicable safeguards for religious teaching?
I understood that I was to express my opinion upon what I thought might render the Bill less mischievous than I conceive it to be. It did not occur to me that I was to be a judge of the practicability of what I proposed. I must confess that I think it ought to be practicable to do what I have suggested, having regard to the preamble. I take the preamble as specifying the objects of the Bill, and I take it that the maintenance of religious instruction and worship are conditions precedent to everything that is to be done by the Bill. I imagine that religious instruction and worship, and discipline also (which word I find in section 4), cannot be maintained, except by some system of tests. What I have proposed are tests which would only apply to those offices which are directly connected with the instruction, worship, and discipline of the Universities; and that being the case, I must express my inability to be a judge of how far they are practicable in point of fact.

2181. What I meant was this: you hold a general theory that the Bill is objectionable *in toto*, and therefore we were prepared for some suggestions that might really enter into the spirit of the Bill, and modify it without rendering it impracticable?
I hoped that the suggestions I made would really enter into the spirit of the Bill. They certainly involve very great concessions being made by us; but if none be made to us, the concessions would be all on one side. It would simply be that every thing was taken from us. If we are to save anything, we must no doubt make some modification in the Bill as it stands.

2182. Earl *Stanhope*.] You mentioned that the qualification of taking Holy Orders, with regard to certain University offices, was an alternative qualification, and you stated that certain college offices would afford that alternative. I would ask, as to those college offices, are they of an active kind, involving college duties, or of a sinecure description?
Most of the offices that I spoke of are offices involving active duties, as, for instance, those of tutor and dean.

2183. Would they in all cases involve residence in the University?
Not in all cases, because I think that the office of bursar would be one of

T. Waraker, Esq., LL.D.

14th March 1871.

those that might be regarded in some colleges, at all events, as an alternative qualification; and it is certainly not necessary that a bursar should reside. As regards the offices in the University which would be taken as an alternative qualification for the retention of a fellowship, I think I may say that they would all involve residence in the University for a certain period; not the same amount of residence that is required from those who are actively engaged in college duties, which would be a residence for the whole or nearly the whole of the term, but a certain statutable residence. A professor, for instance, is obliged to reside for a certain period in the University. The University offices which I am speaking of now as alternatives to Holy Orders as qualifications for fellowships, are most of them professorships There is, as I think I have mentioned, in some colleges the alternative that the master and fellows, the majority of the college, may license the retention of a fellowship by a person eminently distinguished in literature or science.

2184. Even without requiring residence?
Even without requiring residence.

2185. Has that been frequently done?
Thus far it has not been very frequently done, I think If your Lordship will permit me, I may mention that there is one case where a person elected as a fellow of a college was re-elected as a fellow in consequence of his public distinction, and he certainly would not as a fellow be required to reside. It happens that he does reside, but he resides in a different capacity, namely, that he is also a professor, and as professor he must reside; but they are two totally different matters.

2186. As I understand you, there is something in the nature of a dispensation from residence in the case of great literary merit?
There is a dispensation from taking Holy Orders. With that qualification, a man is allowed to retain a fellowship beyond the period he would otherwise be allowed to hold it. If I may be permitted to make one more remark, it is this, that in some of the colleges there must be a majority of the fellows in Holy Orders. In some of the colleges all but one or two must be in Holy Orders, unless they have some alternative qualification. The alternative qualification differs in different colleges; in some it is University offices or college offices; in some it is certain University offices only; and in some it is either University or college offices, or distinguished eminence in literature or science.

2187. Lord *Lyveden*.] I think you have stated that you think the best test would be a declaration of membership of the Church of England?
As a general test, I think that is the best.

2188. Does that test imply, in the present state of the church, any particular religious belief, or merely that you are within the scope, as it is supposed, of the doctrines of the Church of England?
I think it involves that a person is a *bonâ fide* believer in the doctrines of the Church of England. Of course there are shades of opinion in the church which go by different names, and the test is certainly wide enough to include those shades.

2189. Is it as distinct a declaration as the subscription to the Thirty-nine Articles?
I should think that it ought to be. I should think it is.

2190. Do you think it possible for a man of very little or no religious belief to take the declaration of conformity?
No, I think not.

2191. Have the tests, which you are an advocate for, been found to mitigate controversy and to exclude infidelity?
I think that tests are possibly imperfect, and there may be cases where they have not excluded infidelity; but I should think those cases are very rare indeed; and I take the great point of the test to be that it maintains the religious character of the place, and prevents persons at all events from teaching that which is contrary to the faith which they have declared their acceptance of.

2192. Are you not aware that it is notorious that men with no religious belief have taken these tests for a long time?

I have been told that there have been cases of that kind; but I can only take that as an instance of the imperfection of tests.

2193. Have you still a belief that these tests would effect the object that you desire?

Practically they do to a very great extent.

2194. Do you mean to say that no persons of the description I allude to, have ever taken them in your time in the University of Cambridge?

I should be unable to say positively that no persons have done so; but I do not myself know of any persons who have.

2195. Have the tests prevented religious controversy in the University?

There has been no acrimonious religious controversy in the University, I think.

2196. But is it not plain that there does exist very great religious controversy, and has it not been increasing of late years?

I think, perhaps, it has increased somewhat.

2197. Has there not been, as has been stated by numerous witnesses before the Committee, an increasing desire in the University of Cambridge to remove the tests?

My answer to that would be, that I believe there are at present more persons who desire to remove them than there were probably some years ago; in that respect I might say that the desire has increased; but I think there are several causes for that. The very fact of the agitation for the removal of tests is in itself a reason why the sentiment in favour of the abolition should have increased. That is what I alluded to when I spoke of the indirect operation of legislation as influencing public sentiment; it influences sentiment in favour of the line that legislation is taking. I think that it must be within the knowledge of us all that the course which legislation takes, and the course which it appears that legislation will take, influences the sentiments, more particularly of young men, very greatly indeed; there are various reasons why it should be so.

2198. Do you think it advantageous to the Church of England that the injurious reproach should rest upon it, of excluding men of talent from positions they might otherwise occupy, by enforcing a test which precludes their ever attaining them?

It appears to me that persons who do not conform to a double test have no more right to complain of being excluded on account of failing to comply with one of the tests than those have who are excluded on account of failing to comply with the other. We have two tests. The Universities and their colleges have constantly been described as being places of religion as well as of learning; they are described as such in this Bill; they have been described as such in the statutes of their foundation; they have, by the legislation of Parliament in the statutes of Queen Elizabeth, in later statutes, and even in this very Bill, been described as being places of religion and learning. The mode whereby we may succeed in making a place a place of religion and learning is by having a test of each of those qualifications in the candidates. We have a test of learning, and we have a test of religion. It appears to me that he who does not conform to the religious test as well as to the test of learning, that is to say, the educational test, has no right to complain that he is excluded from advantages which he went to the University well knowing that he could not have without complying with both tests, any more than a person who does not conform to the test of education has a right to say, "I do not choose to attain, or I have not the ability to attain, the requisite position in the degree list; it is a hardship upon me to exclude me from these advantages; I am a religious person, why am I to be excluded?"

2199. You think that neither the public nor themselves have any right to complain of their being excluded from that position to which their talents entitle them?

If the sole test were a test of talent and of learning, as is the case at some institutions, no doubt, then, I should say, that the public would have a right to complain of their being excluded.

T. Waraker, Esq., LL.D.

14th March 1871.

2200. You consider that the colleges and the Universities are merely places of religion?

I consider that they are both places of religion and places of learning; and as a person does not by virtue of his religion alone gain the advantage of the University, I say that persons, by virtue of their learning only, ought not to gain the privileges and the emoluments of offices of trust for which a combination of learning and religion is required.

2201. Lord *Stanley of Alderley.*] With regard to clause 3, lines 23 to 27, I understand you to object to the words, "To attend, or abstain from attending, any form of public worship, or to belong to any specified church, sect, or denomination; nor shall any person be compelled, in any of the said Universities, or in any such colleges as aforesaid, to attend the public worship of any church, sect, or denomination to which he does not belong," as being a legislative encouragement to persons to belong to no creed?

Yes.

2202. Would you object to a substitution of "college public worship," or "Church of England worship," instead of "any form of public worship," so as to relieve Dissenters, which is the ostensible object of the supporters of the Bill, without opening the door to avowed disbelievers in all creeds?

I should object to it, though I should regard that as somewhat less objectionable than the clause which at present stands in the Bill.

2203. Would you object to it as being invidious to the Church of England in singling it out, or on what ground?

I think that would be one ground, and there would be other grounds also; but, as I was not prepared for the question at the moment, I can hardly state them now. I think it would be undesirable to have those words. I should regard that as a modification of the present clause, which would be less objectionable than the present one, but still I should object to it.

2204. *Chairman.*] Is there any other point which you would wish to state to the Committee before your examination is concluded?

No, I think I have already pointed out that the safeguards which exist are only those which exist by virtue of University or college legislation, which can so very readily be modified that they do not amount to efficient safeguards, and that they would have this disadvantage (it appears to me), that the state of things would very much depend upon the existing constitution of each college, and, therefore, would be likely to be varied from time to time. I think our great safeguards are Parliamentary safeguards, which are fixed, and not capable of being altered in consequence of the temporary feeling in the Universities. I should hope that whatever safeguards are introduced will be legislative safeguards, and not those which would make the Bill really a permissive Bill as to all that is left to us.

The Witness is directed to withdraw.

The Reverend FRANCIS KNYVETT LEIGHTON, D.D., is called in; and Examined as follows:

Rev. *F. K. Leighton*, D.D.

2205. *Chairman.*] You are Warden of All Souls, I think?

Yes.

2206. And you were Vice Chancellor of the University of Oxford *until the* end of last year?

I was.

2207. Have you paid considerable attention to this Bill?

Yes; to the object of it more perhaps than to the Bill itself.

2208. You are aware of the general tenor of its provisions?

I am.

2209. What is the present state of University jurisdiction over professors with respect to the opinions they may profess publicly on religious questions?

I am not aware that there is any special provision for the case of professors. Like all other members of the University, they are subject, upon delation, to the supervision of the Vice Chancellor, who is specially charged by the statutes with

Rev. *F. K. Leighton*, D.D.

14th March 1871.

with the removal, subject to certain limitations, from the University of all who speak against the doctrine or discipline of the Church of England. No such case arose during my Vice Chancellorship.

2210. Would the supervision, by the Vice Chancellor, be exercised in his ordinary administrative capacity, or would he have to act judicially?

He would have to act judicially. In a case of alleged error in sermons it would be through a Board of Doctors of Divinity who assist him.

2211. Would the Board be appointed by himself?

It would consist of the six senior Doctors of Divinity, the Regius Professor of Divinity being one.

2212. And any conclusion to which those six senior doctors should come as to the heterodoxy, or otherwise, of the opinions expressed by the professor, the Vice Chancellor would be competent to act upon?

Yes.

2213. Supposing that the heresy of the professor had been established by such a proceeding, what power would the Vice Chancellor have with respect to it?

I believe the penalty might be suspension from his functions; I am not sure that it would go further than that. Without reference to the statute book I could not speak positively.

2214. You are not aware that the Vice Chancellor has the power of degradation?

Yes; he has the power of degradation in certain extreme cases.

2215. Without the authority of Convocation?

The penalty, I think, is imposed without the authority of Convocation; but the act of degradation takes place in Convocation. In case of the absence of the accused, the assent of the house is asked to the instrument of degradation.

2216. Are you aware in what cases that power would arise?

In cases bringing discredit on the University, and also, I presume, in cases of conviction of heresy, to which I have alluded, if expulsion from the University implies degradation.

2217. Then in that case there would be the power of degradation, as well as the power of suspension?

Yes; in that case there would be the power of degradation, and a provision is made in the statutes for carrying out the process of degradation.

2218. Has Convocation beyond that, any larger power of degradation?

I am not aware, but I think it has not larger powers; it may act independently of any previous sentence passed by the Vice Chancellor.

2219. No action could be taken against a professor until the judgment of the six senior doctors had been given?

I think not, at least not under that particular statute.

2220. When you speak of the six senior doctors, do you mean the six senior doctors on the University roll?

I believe that the six senior doctors resident in the University are usually taken.

2221. That statute has been acted upon within your memory, has it not?

I am not quite sure; I think so.

2222. Was it not acted upon in the case of Dr. Pusey?

Yes; that was the case in my mind, but I was not resident in the University at that time, and I cannot speak positively as to the steps that were taken in that case.

2223. The sentence that was then passed was a suspension of the person accused from the power of preaching, for a limited time, was it not?

Yes; it was a suspension from preaching for a limited time, two years or three years, I think, but I am not sure.

2224. But the jurisdiction then exercised, and the jurisdiction of which you have spoken, arises entirely out of words uttered in a sermon, does it not?

Rev. F. K. Leighton, D.D.

14th March 1871.

It does when the Vice Chancellor acts with the assistance of the six doctors; but he has besides the power of removing from the University those, who speak against the doctrine of the Church of England.

2225. Is there any provision for controlling the expressions of a professor in the lectures he delivers from his Chair?

I am not aware that there is any beyond the general powers already alluded to.

2226. You have no ground for believing that there is any power of punishing a professor if he should use his professorial position for the purpose of inculcating heretical doctrines?

I have no doubt that that power exists, but without referring to the statute book I could not answer your question positively; the general powers just spoken of might certainly be put in force against them.

2227. Nothing in your experience, or in the experience of others that you have heard related, would enable you to throw any light upon that question?

Nothing, that I now remember.

2228. The jurisdiction if it exists, is I suppose almost an obsolete one?

It is almost an obsolete one: I recollect no case within my own knowledge of its being exercised.

2229. Was any attempt made in reference to the book called Essays and Reviews, to raise the question of such a jurisdiction?

I do not recollect the exact course of the proceedings in that case, but I think it failed upon a point of jurisdiction in the Vice Chancellor's Court.

2230. You will remember that on the occasion of those proceedings to which I have just adverted, a proposition was made for condemning a certain work which excited much notice at the time?

Yes.

2231. And that that proposition fell through in consequence of the interference of the proctors. Can you tell me whether, supposing Convocation were to condemn a certain work, any result would follow as to the power of professors or other persons in the University to teach upon it, that is to say, to teach the doctrines of the book which had been so condemned?

I do not know; I cannot answer your Lordship's question positively. A previous condemnation might be repeated, and that consideration will produce caution.

2232. You do not know whether Convocation possessed any censorial authority?

It has that certainly. In the case of Mr. Ward some years ago, Convocation attempted to exercise that authority, and proceeded to exercise it.

2233. And did actually exercise it?

And did actually exercise it in so far as that it was proposed, I think, to degrade Mr. Ward in that case.

2234. Was that proposition carried?

No, it was not carried, I believe.

2235. But no doubt was raised as to the power of Convocation to degrade Mr. Ward if it had thought fit to do so?

Not that I recollect.

2236. What would have been the effect if he had been degraded; would it have deprived him of his fellowship?

I should think so; but that would depend in some degree upon the statutes of his college.

2237. There have been frequent cases, have there not, of recent years, where persons who obtained fellowships as members of the Church of England afterwards joined the Church of Rome, in which a question has arisen as to their retaining their fellowships; what course has been followed in those cases?

In most instances, I believe, the fellows voluntarily resigned their fellowships.

2238. Do you recollect a case where that was not done?

I knew of a case where, in the first instance, it was not done; and when called upon to resign the fellow declined to do so. He afterwards submitted to deprivation, but refused to resign.

2239. What

2239. What steps were taken in consequence?
As well as I can recollect, the fellow was cited by the head of his college, and upon refusing to comply with the citation his fellowship was declared vacant.

2240. Under what power was that; was it under a power given in the statutes to cite, or was any other power made use of?
I think it was under the power given in the statutes to cite, and perhaps under powers to deprive in certain cases. He was contumacious. The visitor gave an informal approval.

2241. Have the college themselves, or the visitors, any censorial authority over the doctrines preached or taught within the walls of the college?
I presume the visitor would certainly have such an authority upon appeal.

2242. What would his power be if, upon appeal, he found that heretical doctrines had been taught. I am speaking now of the colleges, not of the University?
I suppose he would have the power to require that the person accused should renew the test to which he had originally given his adherence, and on refusal to deprive.

2243. That test, however, is established, not by the statutes of the college, but by the authority of Parliament?
Yes, originally.

2244. Supposing the test was removed by the authority of Parliament, in what position would the visitor stand in reference to the statutes of the college, with regard to the suppression of heterodox teaching?
It would depend, of course, very much upon the statutes of the college. The statutes of most colleges in their present condition would give him that power.

2245. The result then that I gather from your evidence is, that generally either the Vice Chancellor by himself, or Convocation, possesses the power of controlling the expression of heterodox opinions publicly within the University, and that visitors, under the statutes of most colleges, possess it within the walls of the college?
Yes; the Vice Chancellor has the power of requiring any one who is suspected of heresy to renew his test.

2246. But that again is under the authority of Parliament?
Yes, originally; but the power of requiring a renewal of the test is given by the statutes of the University.

2247. Is that power specially contained in any Act of Parliament, or has it merely been set up by the University itself?
I think it has been set up by the University itself.

2248. Under this Bill, of course such a power as that would cease?
I presume so. The test being removed, the power of requiring a renewal of it would cease.

2249. Is it your judgment with regard to the professors, that any of them are or have been inclined to make use of their Chairs for the purpose of teaching or implying opinions upon religious subjects which are not within the direct purview of the matters they are appointed to teach?
My general experience would go in the opposite direction, namely, that they have not consciously used their Chairs for such a purpose; opinions will show themselves, however.

2250. Even where their own opinions were known to be of an extreme character?
Yes, so far as my own experience goes.

2251. But that is not an opinion that you would express absolutely and without reservation?
Not quite, perhaps. I have heard of instances to the contrary, but am not willing to believe them.

2252. Supposing these tests were removed, should you regard the Bill as like to have the most pernicious operation upon the colleges or upon the University?
Upon the colleges. If the Bill were carried in its present shape, I should say its

Rev. *F. K. Leighton*, D.D.

14th March 1871.

its worst effect would be upon the colleges: I should like to see the University and the colleges dealt with separately in any legislation upon the subject. They are essentially distinct.

2253. You think the professors would be much as they are now?
It would be a long while before there would be much alteration in the professors, I think.

2254. In what way would you think that the action of this Bill upon the colleges would be detrimental?
In removing the security that we have for Church of England teaching from the tutors and lecturers, and further than that, the security for even Christian teaching.

2255. The question at the University, as far as religious controversy is concerned, rather embraces the controversy between Christian and non-Christian, than between church and dissent, does it not?
Itdoes in its present state.

2256. If you apprehended any great change in the religious character and teaching of the colleges, it would not be that they would become disssenting, but that they would become infidel?
Possibly that would be the most general result, but it would not be exclusively so under this Bill, if carried into law.

2257. What species of nonconforming should you expect to attain a position in the colleges in case the tests were removed?
Do you intend the word Nonconformist to extend to Roman Catholics?

2258. I intended to take the widest interpretation?
I think it is most likely that that would be the form of nonconformity that would prevail most in the first instance.

2259. So that so far as the Bill had an action in modifying the religious teaching of the colleges, you prophesy that the result would be that the teaching would be more infidel or more Roman Catholic?
Yes; but by no means excluding other Nonconformist teaching.

2260. You think that that too would be represented?
Yes.

2261. Should you anticipate much mixture of religious belief in the staff of the colleges if this Bill were to pass?
I think it might be very possible; probably the same views would prevail throughout a college, and that would give to the whole college one bias.

2262. You mean that it is your opinion that the fellows of a college directly they became by any accident biased in one direction would use their elective power for increasing and making permanent that bias?
Yes, in all probability; and candidates of that particular bias would offer themselves for election in greater numbers than others.

2263. If they did so, they would do it in defiance of their statutes, would they not?
That depends very much upon circumstances. When this Bill is carried, such securities will depend rather upon college statutes and University statutes than upon anything else. The protection given by Act of Parliament will be removed, and the college statutes will be the foundation of any security of that sort. The college statutes are easily altered; and as the Nonconformist strength of a college increased, in all probability they would be altered so as to give facilities for election in that direction.

2264. Do you imagine that the provision which forces the fellows to regard principally intellectual pre-eminence would not have the effect of preventing them from electing fellows of their own religious bias?
I think there would be a very strong temptation to choose men of their own religious bias. I do not mean to say that any obligation to give the first place to intellectual superiority would be neglected by them; but as the matter stands at present, they elect to the colleges as places of religion as well as learning.

2265. You think that the definition of religion would vary in each case?
Yes, in all probability.

2266. And therefere you would rather expect that there would be a tendency in particular colleges to attach themselves to particular shades of belief?
Yes, I think so; and as the tendency increased, the pressure in that direction from without would increase also.

2267. What effect do you think that would have upon the young men. Do you believe that they would maintain their own dogmatic belief as sharply as before in that state of things?
I should think not. They would be very much influenced by the teaching to which they were subjected.

2268. Do you not think that the knowledge that there was just over the way another college teaching diametrically the reverse, would tend to give them an impression that there was no particular truth in matters of religion?
Yes, I think it would have that effect, certainly.

2269. And therefore, apart from any success which individual infidels might obtain under this Bill, in lodging themselves in colleges, there would be a general tendency to unbelief, on account of the variety of teaching that would be encouraged?
Yes, I think that would be the case; young minds would be unsettled and perplexed.

2270. Should you not say that since there have been vehement controversies upon certain matters that are within the bounds of the Church of England, there has been a tendency to indifference upon these matters among the young men of late years?
I think there has generally, but of course the exceptions are many.

2271. You think that a period of lassitude has succeeded to the fever-fit of controversy?
Yes, as a general rule.

2272. Earl *Stanhope.*] Considering this Bill, and assuming for a moment that the Legislature design some such Bill to pass, have any special safeguards occurred to you for religious teaching that might be advantageously introduced into the Bill?
I think the restriction of the headships of existing colleges and halls to members of the Church of England would be one such safeguard. I should like to see the present conditions of such appointments preserved.

2273. As it was in the Bill of last year?
As it was in the Bill of last year, when it was first introduced, as well as I recollect it.

2274. Is there any other point which it seems to you desirable to provide for?
I think a distinction might possibly be made between resident and non-resident fellowships, the one being subject to tests, and the other not being subject to tests.

2275. Would you think it desirable to have a legislative provision that in no case should Divine Service cease to be celebrated according to the rites of the Church of England in any of the college chapels.
I think it would be very desirable that such a provision should be secured for existing colleges. I believe the chapel service exercises a greater and more wholesome influence than is generally supposed.

2276. That it should not depend merely upon University decisions, but upon legislative sanction?
Upon legislative sanction. The University decisions upon such matters, as your Lordship is, perhaps, aware, do not touch colleges.

2277. Should you feel apprehensive of the effects of the Bill with such changes as you have now suggested?
I would rather that we had not the Bill, I confess; but I think those amendments would very much limit the prejudicial effect of it.

Rev. *F. K. Leighton*, D.D.

14th March 1871.

2278. Is there any other point which you could suggest as desirable for adding to or altering this Bill?

None occurs to me at present.

2279. Lord *Rosebery*.] Do you attach any value to the 4th clause of the Bill?

I think the sting of the Bill lies in the repealing clause. I attach very great importance to the 4th clause, if it is not counteracted by the repealing clause.

2280. Earl *Cowper*.] I think you have stated that the great struggle going on now at Oxford is between Christianity and non-Christianity, and not between Dissent and the Church?

I should hardly use so strong a term as "non-Christianity."

2281. You would say between Christianity and infidelity?

Or rather scepticism. I think that is the struggle at present.

2282. Do you not think that this arises to a certain extent from the Church having to fight the battle alone, and that the admission of religious Dissenters would tend to strengthen Christianity?

It might to a certain extent; but it would also divide the power of Christianity as opposed to scepticism in the University. A large body of Dissenters would, no doubt, support the Churchmen in their struggle with scepticism.

2283. You think that the presence of a large body of Dissenters would do more harm by the differences they might have with the Church than good by bringing aid to the Church at any other point, and doing their best to help it to check the growing spirit of infidelity?

I think your Lordship said, "a large body of Dissenters"

2284. I quoted the word in your last answer?

I used a wrong phrase. I meant rather that a large proportion of the dissenting bodies would support the Church in such a struggle. I think that the presence in the University of a large body of Dissenters, divided in their views, would have the bad effect to which your Lordship alludes.

2285. I think your apprehension of the effects of this Bill upon colleges did not arise so much, as far as I could gather, from your dread of the teaching of any single tutor as from your dread of the fellows as a body becoming favourable to the teaching of doctrines which you might consider objectionable?

In the first instance, I conceive the danger would arise from the influence of individual teachers, and after that from the college becoming impregnated with one set of views. The tendency of colleges would be to denominationalize themselves.

2286. Would not the teaching of the individual tutors always be modified by the general opinion of the body of the fellows; I think the fellows have the power of removing a tutor, have they not?

I am not sure about that; it is a moot point whether the removal of a tutor rests with the head of the college, or with the collegiate body. I may say, by way of explanation, that the circumstances of my own college do not enable me to speak with authority on this point.

2287. Do you mean that it is not known whether the fellows have or have not the power to remove a tutor, or merely that you do not recollect whether they have the power or not?

I do not recollect whether it is clearly decided or not. In all probability it is different in different colleges. As a general rule, I believe that the head appoints and removes tutors; the college appoints and removes lecturers; the Vice Chancellor has power to cancel the appointment of an unfit tutor.

2288. Passing to another point, I think it has been generally admitted that books of all kinds are encouraged to be read by undergraduates, or at all events by those undergraduates who wish to take high honours?

Yes, I believe so.

2289. And that therefore any undergraduate, or, at all events, any undergraduate aspiring to honours would, by the necessity of his reading, become aware of all the varieties of religious opinions, and all the different doctrines which are

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in existence, and could not fail to know that there is an immense variety of difference of opinion upon religious questions in the world?

Yes, to a large extent he would.

2290. Do you think that the circumstance of different tutors holding different beliefs would make any material difference in regard to the undergraduate being impressed with this fact?

I think so; he would be brought more immediately in contact with the variety of teaching than he would be through books; and the personal influence of the tutors would weigh with him.

2291. You think that, practically, the fact of these different tutors not being of the same form of belief, would have more effect upon him than the same different views brought before his mind in his ordinary course of reading?

I think it would, certainly.

2292. And you think that the tutors would bring these differences out in their lectures and in their teaching?

They could hardly fail, I think, if they were honest men, to put forward their own conscientious belief.

2293. You do not think that they would be restrained by general opinion from putting their differences prominently forward; you do not think that they would be more inclined to lay stress upon those points upon which they agreed than upon those upon which they differed?

I presume your Lordship is speaking of the state of things under this Bill, supposing it to pass into law; I do not think that they would; in the present state of things they would be restrained by the consciousness that they had subscribed to a test which might be controverted by their teaching.

2294. Earl *Beauchamp*.] I rather gather, from what you have said, that your objection to this Bill does not lie so much in its providing admission to the Universities for religious Dissenters, as in its sweeping away the safeguards against irreligion?

Yes, that is my view, to a great extent.

2295. Do you see any plan by which religious Dissenters, that is to say, what we may call the orthodox Dissenters, could be admitted, without relaxing the tests so as to admit persons holding infidel opinions?

It would be very difficult.

2296. There is of course a difference between the various forms of tests, as applied in the two Universities?

Yes; the tests vary both in substance and in their operation upon different minds.

2297. In some cases, the declaration of conformity to the Church of England is found to be more stringent upon some consciences; and in other cases, the declaration of *bonâ fide* membership of the Church of England is found to be more stringent?

Exactly so.

2298. But your objection to this Bill lies in the sweeping away of all safeguards against irreligion?

Yes, in great measure.

2269. The barriers that would be left would rest only upon college statutes, would they not?

I think they would rest only upon college and University statutes.

2300. The college statutes are liable to be altered, with the consent of the Visitor, by a majority of the college for the time being, are they not?

I think it must be not only with the consent of the Visitor, but the proposed alteration must also go before the Queen in Council when it touches a college ordinance.

2301. You would object to have such a question as the connection of a corporation, like a college, with the Church of England, depending upon the votes of a casual majority who had gained their position by a merely intellectual examination, would you not?

Yes;

Rev. *F. K. Leighton*, D.D.

14th March 1871.

Yes; more especially as the founders of colleges generally had in view the education of members, if not ministers, of the Church of England.

2302. You think a question of that sort ought not to be decided by gentlemen who had gained their position as the result of an intellectual examination only?
I do.

2303. It is a matter which you think should be decided by Parliament, and not by individual colleges?
Yes; I think it would be much safer that it should be so.

2304. It would lead, would it not, to great contention in a college, if such a question was left open?
Yes; very great and very mischievous.

2305. Do you see any difficulty in enacting that all the college statutes bearing upon religion should not be altered except with the consent of Parliament?
Does your Lordship mean in each case as it arises?

2306. I mean that there should be a general provision that no change should be made by any individual college, in matters affecting religion, without the consent of Parliament, or that no such change should be made except by the authority of Parliament?
I do not think that such an arrangement would be desirable in every case, but, as a general rule, perhaps it would.

2307. That would be, at all events, some guarantee that gentlemen who had been elected to fellowships in consequence of their intellectual distinction should not alienate a college from the Church of England, in consequence of a temporary and casual majority of their number being hostile to the Church?
It would be valuable to have such a security.

2308. It would be a greater security than requiring an application to the Queen in Council, would it not?
I think it would, certainly; there would be more stability in it.

2309. Practically, the Queen in Council means the Ministry of the day?
Yes.

2310. To turn to another branch of the subject; I understood you to say that it would be a long time before the operation of the Bill made itself felt in the case of professors, but would not the distinct abandonment of the connection between the Universities and the Church of England necessarily lead to a different line of action with regard to all University legislation?
Yes, certainly; legislation must be adapted to the altered state of things.

2311. At the present time, University legislation, upon many matters that arise, is based upon the assumption that the University is indissolubly connected with the Church of England, is it not?
Yes, to a very great extent; exceptions are made to meet the case of undergraduates who are "extra Ecclesiam Anglicanum."

2312. If Parliament were to pass a Bill which made it a matter of indifference whether the Unversities were connected with the Church of England or not, the whole current of University legislation would be liable to be altered, would it not?
Yes, in most respects.

2313. You have been for many years a member of the hebdomadal council, I think?
I have.

2314. And as Vice Chancellor of the University, of course you have made yourself familiar with the course of University legislation?
Yes.

2315. The whole tone of University legislation would necessarily be altered if this Bill were to pass, would it not?
It would, but not immediately, I think. Some legislation would be immediately necessary, but the alteration prospectively would be produced, and in its full extent distant.

2316. Still it would be a certain result, though not an immediate one?
It would be a certain result, though perhaps a comparatively distant one.

2317. Do you think it would be possible for the University to maintain the censorship over University sermons and the teaching of heresy, which you described to us, if this Bill passes in its present shape?
It would be very difficult; almost impossible.

2318. It would be difficult because it would be inconsistent with the principles laid down in the Bill?
Yes.

2319. Lord *Hartismere*.] We were told by witnesses both from Oxford and from Cambridge that there was a feeling in Oxford and in Cambridge that no one would refuse to take the test, because they considered that it was a mere form of words, and that it was not at all binding in any way. From your experience, should you say that that is the case at Oxford?
I have never met with any case of the kind; but it is a possible, I hope not a probable, one.

2320. Lord *Colchester*.] You made some statement relative to the power which might be exercised over a professor in case of heresy; that power of course would be swept away by this Bill?
Yes; it would be entirely swept away.

2321. With regard to the case of fellowships, you also mentioned that fellows who had become Roman Catholics had in most cases voluntarily resigned their fellowships?
I think that has been the case.

2322. Of course it may be assumed that fellows who might become Roman Catholics would see no reason to resign in future, if this Bill passed?
I should think not certainly.

2323. They would have no wish to resign of themselves from an objection to being connected with a mainly Protestant institution, would they?
No, nor would there be any compulsion upon them to resign, either as a matter of law, or as a matter of honour.

2324. Therefore it is very probable that a considerable number of Roman Catholic might be fellows, and possibly tutors of colleges, if the Bill were to pass?
Yes, I think so.

2325. I think a safeguard to which you attach some value is the retention of the connexion of the headships with the Church of England?
Yes.

2326. You do so probably upon the ground of the agitation which might be caused by the election of a head, if the fellows were of different religions, and if the elections depended upon religious questions?
My chief reason for saying what I did was, that the appointment of almost all the college tutors is in the hands of the heads of the different colleges; but I have no doubt that what your Lordship suggested in your question would also be a very cogent reason for it.

2327. Do you see any reason to fear that in some cases the election of the head by the fellows of a college might become an unwelcome arrangement, if there were much difference of opinion on religious matters between the fellows?
Yes, it would be very difficult to make a generally acceptable election under such circumstances.

2328. Do you think it would be desirable then that the head should be appointed by some external body, as is the case now with regard to some colleges at Oxford; Worcester, for instance?
That would depend entirely upon what that external body might be.

2329. The election by the fellows might become very inconvenient, might it not?
Yes,

Rev. F. K. Leighton, D.D.

14th March 1871.

Yes, there would be very great difficulty in arriving at a conclusion; and the consequences might be inconvenient also.

2330. You have referred to the words "religion and learning" which exist in most of the college ordinances and statutes?

Yes.

2331. And you stated that you considered that under these words it would be very probable that a fellow of a college might feel justified if he was a Churchman in voting against a person who was not a Churchman, and if he belonged to another denomination, in trying to introduce persons of his own denomination?

Yes, I think so.

2332. At present the religious element hardly ever enters into the elections to fellowships, does it. I mean to say, religious difference rarely occurs?

I am not aware of any instance in which religious difference has avowedly affected an election, though it must have some weight with individual electors, I suppose.

2333. But under the conditions brought about by this Bill, you think it may become very probable?

Very possible indeed, and very probable.

2334. Do you think it would be less so if only fellows who took no part in the government of the college were admitted without a test?

Yes, certainly it would be less so in that case; it was to this point that I referred in what I said about residentiary and non-residentiary fellowships.

2335. Would not fellows be willing to elect a man upon general grounds of merit to a prize, while they would not be willing to elect a man who was hostile to the Church of England, or to their views of religious truth, to an office of trust?

Yes, I think so.

2336. Earl of *Carnarvon.*] Assuming that this Bill is to pass in some shape, and assuming also that some compromise is an object to be sought after, what suggestions are the Committee to understand that you would make, with a view to the modification of the Bill?

I think my chief suggestion was with respect to resident and non-resident fellowships; dividing fellowships into two classes, and not subjecting those who hold non-resident fellowships to tests of any sort or kind.

2337. Will you tell us how you would deal with non-resident fellows, so far as tests are concerned; would you relieve them altogether from tests?

I would relieve them altogether from tests, make their fellowships terminable, and allow them to marry.

2338. And would you maintain the existing test with regard to resident fellows?

I would rather retain that; but I take it as a foregone conclusion that it cannot be retained.

2339. Do you see your way to retaining any modification of the existing test for the resident fellows?

I do not; I have heard many suggested, but I have heard none that I think could safely be adopted.

2340. You remember, of course, Sir Roundell Palmer's declaration, that he proposed in the House of Commons?

I remember the general tone of it; I think it was a promise not to teach anything contrary to the doctrine of the Church of England.

2341. Would that, in your view, be sufficient as a test to apply to resident fellows?

It would be very much better than no test.

2342. It would go some way towards satisfying you, so far as the professors of the University are concerned?

Yes.

2343. Do you think you could apply any form of it to the resident fellows in the different colleges?

Yes, I should think so. In all probability the teaching of the college, and the administration of the college, would be with the resident fellows, and for these I think some test absolutely necessary.

2344. Do you think a negative declaration of that nature, that they would neither say nor do anything in opposition to the doctrines or discipline of the Church of England, would be anything in the nature of a safeguard?

It would be something in the nature of a safeguard; not so much as I could wish to see, but still it would be better than nothing; an honest man, whether fellow or professor, would observe it.

2345. Would you prefer that kind of negative declaration to a test which looked simply and solely to Christianity, rather than to any particular form of Christianity?

No, I think not. It would not secure the Christian character of the person making it; it would only be a guarantee against the abuse of his position.

2346. Comparing it, for sake of illustration, with what has been proposed, an assent to the Nicene Creed, which of the two forms would you prefer?

I would prefer myself assent to the Nicene Creed; but I think that is of such very unequal bearing, that one could hardly hope to see it adopted; it would admit certain forms of dissent and not others.

2347. Of course I presume you would wish to see the heads of houses retain their present position?

Certainly; at least the heads of all existing colleges and halls.

2348. Would you be willing to abandon the test as regards the Master of Arts degree, and with it of course the membership of Convocation?

Yes, as a matter of necessity, not as a matter of choice.

2349. Would you look upon it as a matter of consequence that you should retain in some form or other the use of college chapels for the Church of England service?

Yes; of great consequence.

2350. Is there any other suggestion which you could make which would, from your point of view, mitigate the evil you apprehend under the Bill, or that would carry out more completely the spirit of what may be supposed to be the preamble?

If I understand the preamble rightly, I do not think the preamble is carried out by the Bill; I do not think it provides "proper safeguards for the maintenance of religious instruction and worship in the said colleges, and Universities."

2351. That is not quite what I meant to ask you; my question was rather directed to this. Could you suggest anything which, without being in opposition to the wording of the preamble, and consequently to what one may suppose to be the general spirit and intention of the measure, would yet tend to obviate some of the evils you apprehend under the Bill?

Nothing beyond what I have already suggested, as to the division of fellowships into resident and non-resident fellowships, subjecting the one to tests, and exempting the other.

2352. Accepting such a declaration as that proposed by Sir Roundell Palmer in the case of the professors, and retaining the heads of houses in their present position?

Yes.

2353. And in maintaining the Church of England worship in the chapels?

Yes.

2354. That of course would not remove your objections to the Bill, but at all events it would go some way towards rendering it less unpalatable to you, and to a very large number of persons in the University who share your apprehensions?

Yes; certainly.

Rev. *F. K. Leighton*, D.D.

14th March 1871.

2355. *Chairman.*] You agree with the majority of the witnesses in attaching very great importance to the college chapel?
Certainly.

2356. That is one of the modifications which you would desire to see inserted in the Bill?
Yes.

2357. Who selects the preachers in the University?
They are divided into two classes, *viz.*: those who preach in turn, and the select preachers who are appointed by the Vice Chancellor, the two proctors and the two Professors of Divinity, the Regius Professor, and the Margaret Professor. The Vice Chancellor has also in his own hands the appointment of preachers on several occasions; and, according to statutes, no one can preach before the University without his approval.

2358. Is that under a University statute, or is it under any Act of Parliament?
Under a University statute.

2359. A University statute cannot be altered, can it, without the consent of the Queen in Council?
Yes; certain University statutes cannot, but the greater part can.

2360. It would be competent for the University to modify that Board, if it should see fit?
Quite so; and within the last three weeks a proposal has been made for a modification of that Board; it has not come before Convocation, and is not likely at present to come before Convocation; but it has been discussed in Council.

2361. Nothing can come before Convocation unless the Council approves of it?
No; all legislation must originate in Council.

2362. The proctors are not chosen by the University, or by the colleges; they come in by accident, as it were, do they not?
They become proctors by the choice of the colleges to which they belong; being proctors, they are *ex officio* members of that Board.

2363. It is not a matter of seniority in the college?
No; it may in some colleges be treated as a matter of seniority, but it is not so by statute.

2364. The college has the nomination after the cycle?
Yes.

2365. But within the college the college is responsible for the person selected?
Yes, certainly, except in the case of proctors coming from the halls, who are elected by the halls collectively; the halls have not a place in the cycle, except as a collective body.

2366. Together they elect one proctor
Together they elect one proctor; they have done so this year.

2367. Earl *Beauchamp.*] Practically, is it within your knowledge that any junior member of the college has been elected, in preference to his senior, to the office of proctor when he was willing to take it?
I know of no such case; but there is nothing in the statutes to prevent it. The college is responsible for the fitness of the man appointed.

2368. Earl of *Carnarvon.*] The governing body in the different colleges, as you are aware, is very often a limited one in point of number; I believe, as a general rule, that body in dealing with the questions that come before them sit with closed doors?
They do not admit the public.

2369. Of course no one, except the persons in that room, knows what the business is that is transacted there?
None, except by hearsay; though not public, it is not secret or confidential.

Rev. *F. K. Leighton*, D.D.
14th March 1871.

2370. It has been suggested that it might be desirable, as the number is so limited, that some more general information should be given publicly as to the nature of the business transacted; would that, in your opinion, be a desirable change, or the reverse?
I do not think it would be a desirable change, or helpful to the transaction of business. It might in some cases check foolish speeches.

2371. Have you ever known any inconvenience arise under the existing state of things from the absence of publicity?
No, I am not aware of any.

2372. Earl of *Kimberley*.] Do you see any objection to publicity being given in cases where the constitution of the Board was to be altered, preserving secrecy for cases of discipline and ordinary management?
I do not think it desirable, especially when one considers what the constitution of colleges might become under this Bill.

2373. It would be possible to make such a change?
It would be quite possible.

2374. *Chairman*.] Is there any other point which you wish to lay before the Committee with reference to this Bill?
No.

The Witness is directed to withdraw.

The Reverend HENRY ALLON, is called in; and Examined as follows:

Rev. *H. Allon*.

2375. *Chairman*.] You are a Nonconformist Clergyman?
Yes.

2376. To what denomination do you belong?
To the Independents or Congregationalists.

2377. You are well acquainted with the College of Cheshunt?
I am.

2378. Were you educated there?
Yes.

2379. That, I believe, is in strict connection with the Congregationalist body?
Only accidentally so; its history is somewhat peculiar; it was originated by Lady Huntingdon while she was yet a member of the Established Church, in order to supply religious ministers who she thought were not supplied in sufficient numbers, and to do a kind of auxiliary work to the Church of England. She accordingly founded this institution; at least called it into existence, for it scarcely had a foundation, with the view of supporting students educated there, and sending them out to preach as she herself thought proper. It had no legal or any formal doctrinal constitution so long as she lived.

2380. I presume she furnished no endowment towards it?
She furnished no endowment towards it; she sustained it out of her income.

2381. But she furnished buildings, did she not?
A building in Trevecca was rented by her, part of an old castle of Henry the Second, and she resided there generally with the students; it was in the year 1768 that she originated the college.

2382. After her death what was its fate?
She died in 1791. After the college had been instituted a few years, a number of gentlemen interested in her religious work, formed an association to sustain the college, in the event of her death; I believe the Countess of Huntingdon's income ceased at her demise, and, therefore, these gentlemen formed a society to sustain the college, and obtained subscriptions for that purpose, and ultimately the present college at Cheshunt was founded, and put in trust under those conditions; but before the death of Lady Huntingdon the constitution of the proposed college was agreed on, and a draft of the

Rev. *H. Allon.*
14th March 1871.

constitution afterwards embodied in the legal trust was approved of by her, and by those who were acting with her.

2383. The part of the constitution upon which we are most anxious to obtain information is that which provided for the connection of the college with that religious body with which it is now connected, and for the religious teaching which takes place therein?

It never was connected with any religious body, and it is not now legally and formally connected with any religious body; it is perfectly Catholic in its ecclesiastical character. So long as the Countess lived she admitted to the college any person of whom she approved, I suppose, after personal examination. After her death, when the college was legally constituted, the only requirement was a doctrinal one; 15 articles were drawn up, chiefly doctrinal articles of the Church of England, but added to, if not amended by, clauses from the Assembly's Catechism; and no ecclesiastical requirement of any kind is necessary for admission to the college, nor are the students expected to exercise their ministry in connection with any particular ecclesiastical body. The Countess was a member of the Church of England, and when she seceded from it, it was simply that she might take advantage of the Toleration Act, and protect her chapels and her ministers. She never became a Dissenter in any voluntary or formal way, except so far as to take advantage of the Toleration Act; so that the college was intended originally, I suppose, to supply her own chapels with ministers; she greatly encouraged the students to enter the Episcopal Church, as many of them did, and some of them have done so very recently. The present Bishop of Gloucester received one student from Cheshunt into the Church of England by ordination about two or three years ago, and he bore very emphatic testimony to his excellent education.

2384. I believe the teaching in the college is of a distinctive character, and principally religious?

Not only religious, but distinctively theological.

2385. And it has been always, to a great extent, in accordance with the belief in which the Countess of Huntingdon lived and died?

It is not easy to answer that question, because the 15 articles embodied in the trust, of which she approved, were of a highly polemical character; they were constructed during the time of the great polemical contest between Toplady and Whitfield on the one hand, and John Wesley on the other, hence the 15 articles are very emphatically Calvinistic and Predestinarian, and bear a very polemical aspect as read now; they have been, however, in substance uniformly insisted on.

2386. Are they insisted on in the case of the students only, or are they insisted on in the case of the teachers?

In the case of all parties; I am one of the trustees; I had to sign those articles when I became a trustee; when I became a student, I had to sign the articles. The tutors have to sign them; and the students have to sign them, and they are a stumbling-block to many young men, who otherwise would have been admitted to the college.

2387. Several young men have declined to take the benefits of the college, on account of those articles?

Some have done so; I should not say several, but some have done so; very many, while believing in the substantial doctrines set forth by the articles, have felt difficulties in subscribing to them from their polemical phraseology. The difficulty we find in admitting students is, that some of them conscientiously regard the phraseology, as well as the substantial doctrine, which it is intended to clothe.

2388. The phraseology bears the imprint of the age in which it was composed?

Yes; and of the peculiar circumstances of the time.

2389 Will you have the kindness to put those articles in?

With the permission of the Committee I will hand in a copy of the Deed of Trust of the College, to which is appended the 15 articles. (*The same is handed in*; vide *Appendix.*)

2390. Do you find that the tutors, as well as the students, occasionally object to sign the articles?

I am not aware of any instance of a tutor objecting to sign them; but almost every tutor I have known would have preferred some other form of doctrinal test. They are not, as a matter of course, departed from by either students or tutors, in any substantial sense; but there are difficulties felt on account of the verbiage.

2391. But the difficulties felt have never risen to that point that the persons feel themselves at liberty to sign the articles, though entirely disbelieving them?

We have had no case of that kind. It is to be remembered that the young men who seek admission to the college, have selected the ministry as their profession, and they are commonly young men of some maturity of religious character.

2392. Cheshunt College is what would be called a theological college?

It is strictly a theological college, and hence the young men are very different from the ordinary alumni of a University.

2393. Are the tutors persons who have been educated at the college?

Not necessarily; in fact no one in connection with the college is required to comply with any specified conditions except agreement with the articles.

2394. The college, though teaching Divinity principally, teaches other things besides, does it not?

Yes; it is affiliated with the London University, and many of the students graduate there.

2395. Have you tutors or lecturers in secular subjects?

Yes, in mathematics, classics, and philosophy.

2396. In science also?

A little natural science is taught. The curriculum is only five years, and it is not easy to teach arts very extensively; the last two years are almost exclusively given to theology. We wish, if possible, that the students should matriculate before entering, and some graduate; some even take their Master of Arts degree before entering.

2397. Has the college much property?

Not very much property; there are endowments amounting to about 700*l.* or 800*l.* a year; it is sustained otherwise by subscription. The students pay somewhat for their board.

2398. How are the students selected?

The students make application for admission to the college, avowing their desire to consecrate themselves to the ministry; they are then examined by the college Board, before whom they come with recommendations from the ministers or the churches to which they may be attached.

2399. They are selected by the trustees?

Legally by the trustees, but practically by the trustees assisted by a large committee. Legally the trustees have absolute power. The Countess was very despotic; she exercised absolute power herself, and all her institutions are moulded on that principle.

2400. The Countess of Huntingdon left no endowment?

No; so long as she lived she sustained the institution, but no money came from her after her death, I believe.

2401. The endowments have come in since?

The endowments have come in from various sources.

2402. Is there any examination of the students in a religious point of view besides the signature to the 15 articles?

There is a very searching examination on their admission to the college; it is a *sine qua non* that every student should be avowedly a religious man in addition to holding the requisite theological belief.

2403. There is an examination not only into the man's theological belief, but into his spiritual state?

Rev. *H. Allon.*
14th March 1871.

He comes with certificates from the church of which he is a communicant, and the examining board gives special attention to that point.

2404. The teaching within the college you say is strictly theological?
Not exclusively; of course, mathematics and philosophy are taught.

2405. Theological teaching is scientifically theological, if I may use the expression?
Yes.

2406. Have you ever lost any eminent men whom you wished to employ as tutors on account of the difficulty they felt in subscribing to those articles?
I am not aware that we have. We sometimes have had refusals when applications have been made to clergymen, who have been quite eligible; on one occasion the late Dean Alford presided at a meeting of the college on the ground that he represented the episcopal element in the constitution of the college; and we have felt no difficulties in applying to clergymen when a professorship has been vacant.

2407. Has there been any feeling among any of the Nonconformist bodies as to the stringency of those tests?
There are about 10 or 12 colleges connected with our Nonconforming churches, and this college stands alone in having written articles. I have no doubt that many Nonconformists would object to those tests; Cheshunt, till recently, has been regarded as not being, strictly speaking, a Nonconformist college, but practically it has become so through the diminution of the immediate adherents of the Countess of Huntingdon. The Congregationalists have accidentally through the force of circumstances inherited the traditions of the Countess so far as the college is concerned, without conforming to all her views.

2408. It has been looked upon as being rather tainted with adherence to the Established Church?
I would rather put it as not being sufficiently pronounced in its Nonconformity; the consequence has been that while the colleges which have been strictly Nonconformist colleges have been sustained heartily, Cheshunt has not till recently received that full support which it now does receive from the Nonconformists.

2409. You stated that there were about 10 or 12 Nonconformist colleges; are you acquainted with their constitutions?
Generally; not specifically.

2410. They avoid the machinery of tests as a rule, do they not?
Every student is examined very carefully by an examining board.

2411. With reference to his belief, as well as his spiritual state?
With reference to both. No young man is received into our colleges without satisfactory evidence concerning both. I may say I think the authorities at Cheshunt would prefer that the students should be examined as to their belief by an examining board, rather than that they should have to subscribe to the formulæ of past generations, inasmuch as it is possible to ascertain satisfactorily the substance of a man's belief without binding him to the phraseology of former times.

2412. By such a course you avoid many of the scruples which arise from signature to tests?
Yes.

2413. Have you ever heard that preliminary examination is objected to as a hardship?
On the contrary, it is on all hands deemed essential, in all strictly theological institutions, that the opinions of a man desiring to enter the institution should be ascertained.

2414. Are all those 10 or 12 institutions strictly theological colleges?
One or two of the colleges (for instance, Regent's Park College, of which Dr. Angus is the president, and New College, of which Dr. Halley is the president, also admit lay students.

2415. At New College and Regent's Park College are the lay students examined before admission?
I could not answer with sufficient authority upon that point.

2416. By what machinery is the conformity of the teaching body of those colleges to your established standards of belief preserved?
Generally there are provisions in the trust-deeds of the colleges, but in the history of our colleges it has not always been found that orthodoxy was preserved.

2417. There are some cases of deflection into Socinianism, are there not?
I am aware of only one. In the academy originated by Dr. Doddridge afterwards under Coward's Trust, Mr. Belsham became a tutor some years after Dr. Doddridge's death. That, I think, however, was simply through laxity of practice, and that was remedied by the appointment of an orthodox tutor, it being found altogether incongruous that Mr. Belsham should continue to be a tutor. I do not remember any other instance of the tutor of a college lapsing into heresy.

2418. The machinery, then, has simply been that the trustees or the teachers from time to time have introduced into their body other persons of the same mind as themselves?
Yes, and we have a general belief that such freedom is the best preservative of orthodoxy.

2419. At all events, that that is the most effective machinery for preserving orthodoxy?
We think so.

2420. Under your trusts no persons of a different belief to your own are able to thrust themselves into your colleges?
Certainly not; the administrators of the trust would of course feel bound to prevent the admission of any tutor, or even of any student who seriously departed from the belief of the founder. I mentioned Coward's Trust just now; the words of the trust are, "That my said trustees, and those who shall succeed them, as is hereafter directed, do take care that the said students be well instructed in the true Gospel Doctrines, according as the same are explained in the Assembly's Catechism." There could scarcely be a stricter trust than that; but Mr. Belsham became a tutor under that trust.

2421. If it should happen that a tutor, who had been admitted in full belief of his orthodoxy, was afterwards to show signs of having changed his opinions, you would have the means of getting rid of him?
The Education Board or the trustees would have the power at once to dismiss him.

2422. And no one in your body would think there was any hardship in such a proceeding?
It is difficult to answer that, because I think Dr. Davidson was dismissed from the college at Manchester, and many people did think it a hardship; I think, unreasonably.

2423. At all events, the dominant opinion of your body approves of that policy?
I should think so; there are instinctive sympathies with a man persecuted for his opinions, which make it difficult to say that such is the general opinion.

2424. But the necessity of maintaining a pure standard of belief is recognised as an essential element in religious education by all your body?
Yes, in the education of the ministry.

2425. Do you yourself think that the religious education of laymen could be conducted by persons widely differing in belief?
That would depend on many accidental conditions. I do not see why it should not be so in an ordinary college or school.

2426. If they differed, for instance, so widely as a Roman Catholic and a Protestant?
It is difficult to suppose such a conjunction of persons, and very difficult to forecast what would be the issue if they were to come together; the difficulty would be on the part of the Roman Catholic, probably, who would be taking exceptions continually.

2427. And possibly the Protestant would take exceptions to matters which the Roman Catholic would look upon as of the highest importance?

Rev. *H. Allon.*
14th March 1871.

I am not sure that the difficulty would be greater, for instance, than in the case of the conjunction of individuals belonging to the two or three great parties that now divide the Episcopal Church—say men believing in the doctrine of the Real Presence in the same college with men who reject it altogether as erroneous.

2428. That, however lamentably wide a difference, would be trifling compared with the difference that would separate, say a disbeliever in the Nicene Creed from a believer in the Creed of Pope Pius?

Yes; the answer to your Lordship's question I think would depend on the purpose for which the institution existed, and the wants it sought to meet; if the question refers to the national Universities, I can conceive that religious differences would have very little practical effect upon the students.

2429. I was assuming that those colleges are places for religous education; of course if they are not, there would be no difficulty?

That is what I meant when I said it would depend upon the construction you put upon the institution itself.

2430. Do you conceive that two persons of totally different beliefs could conjoin together to teach another person?

It would depend upon the individual teachers very largely; if the men were fanatics of course it would be impossible.

2431. Your general answer would be, that it would depend to a great extent upon whether the institution in question was designed for secular education or for religious education?

Yes; if it were designed for religious education primarily, then the incompatibility of religious belief on the part of the tutors would be a very serious difficulty; if it were primarily for general education, I should not think so much of it.

2432. Lord *Stanley of Alderley.*] In the event of such a Bill as the present one passing, would there be, in your opinion, any probability of any one of the ten or twelve Nonconformist colleges transporting itself to either of the Universities, so as to enjoy the advantages of the general education there?

I do not think we could ever dispense with our distinctive theological seminaries. Many persons connected with our Nonconformist colleges would wish very much that the general education of the students was received from such an institution as the London University, or from Oxford or Cambridge. I mean many would like to separate the general curriculum of arts from the theological curriculum; we could never dispense with the theological curriculum.

2433. Lord *Lyveden.*] You have said that Cheshunt College is a college entirely for religious education?

Yes.

2434. No students being admitted who intend to enter the lay professions?

None.

2435. Is subscription to the 15 articles compulsory upon the entrance of the students into the college?

It is compulsory.

2436. Those articles may be designated as Calvinistic to some extent?

Very strongly Calvinistic.

2437. I find it stated in a declaration of the trustees and committee in 1822, that "The object of this institution is not to serve the interests of a party; but to promote the extension of the Kingdom of Immanuel, by the publication of His glorious Gospel and the doctrines of His grace; and the young men who are educated at Cheshunt College are left entirely free in their choice of the denomination of Christians among whom they may prefer to exercise their ministry;" is not that rather at variance with the requirement of subscription to the 15 articles?

Possibly it is, taking the words simply by themselves, but their reference is solely to denominational distinctions; while I think the articles are undesirably Calvinistic, I cannot conceive it possible that general excellence of character could be a sufficient qualification for admission to such an institution without some

some requirement of doctrinal belief; whether that should be a specific form of doctrinal belief is another question: but in addition to a general declaration of purpose, there must be in a theological institution for the education of ministers some doctrinal requirements.

2438. The students who are selected by the trustees are generally well aware of the nature of those 15 articles to which they have to subscribe?
I believe so.

2439. Therefore, it would be seldom the case that when they presented themselves they would object to that subscription?
We have had instances of hesitancy; men who have been prepared to accept substantially the 15 articles have hesitated about certain expressions in them, and felt considerable difficulty with respect to these.

2440. Are the trustees of the college, of whom, I think, you stated you were one, very much in favour of that subscription; do they think that tests are beneficial?
I think the tutors would be glad if this subscription were abolished, and that would be the case, I think, with some of the trustees. I, for one, personally would be glad to see the subscription abolished, and a general examination substituted.

2441. Have the trustees any power of abolishing it?
No, the articles are incorporated in the trust-deed.

2442. Has there never been any attempt to alter those articles?
None whatever.

2443. Upon the whole, your opinion is not favourable, generally speaking, to tests, for the purpose for which those tests are devised?
Not in this particular form. I think, as I said before, it is essential that young men destined for the ministry, and who apply to the institutions that exist for the purpose of educating as ministers of a particular church, should give some evidence of doctrinal belief.

2444. Do you apply that solely to those persons who are educated for the ministry, or would you extend it to laymen?
I am not speaking of laymen at all; I am speaking exclusively of such institutions as this.

2445. Earl *Stanhope.*] I see by the rules of Cheshunt College this description of eligible candidates for admission, "Unmarried men, and not exceeding 28 years of age." Do you practically receive many pupils at so advanced an age as 28?
Not many; perhaps the minimum of age is 17 or 18, and the maximum is as the deed prescribes 28, but the majority of the men who enter would be about 20 or 21.

2446. Earl *Beauchamp.*] I understood you to say that Cheshunt College was not connected with any religious body; practically it is only connected with those who would accept the 15 articles?
Precisely.

2447. Is there any religious body who take those 15 articles as the sole basis of their belief?
I could not answer that question; I should think not.

2448. The 15 articles are not necessarily connected with Lady Huntingdon's connection?
I do not know of any other religious body that has articles of faith exactly corresponding to these; these are articles of the Church of England, with additions from the Assembly's catechism.

2449. Not merely additions, but alterations?
Possibly, they are not the articles of belief of any religious body except of the Countess's own ministers.

2450. Are those 15 articles imposed on the ministers of Lady Huntingdon's connection?
Yes.

Rev. *H. Allon.*

14th March 1871.

2451. Will you state what is the fundamental doctrine of Congregationalism; is not it that each congregation is independent of another?
That each congregation is competent to manage its own affairs, and no congregation permits the control of any external body.

2452. It is a social alliance for ecclesiastical purposes rather than a legislative alliance?
Just so, a simple association of churches.

2453. What is the constitution of Cheshunt College?
There is a governing body of seven or eight trustees, who have exclusive power, but the deed directs that they may be assisted by a committee if they wish it, and practically it has been found that that kind of exclusive government is not beneficial either to the college or to themselves, and for many years all the legislation of the college has been transacted by the trustees, assisted by a committee; there is no distinction between the two bodies in their action, but if any legal document has to be prepared or signed, the trustees must execute it.

2454. The trustees elect their own successors?
The trustees elect their own successors.

2455. In the event of a vacancy occurring, they elect a person to fill the vacancy?
Yes.

2456. And they elect persons of mature years, whose opinions, whether theological or otherwise, already are formed and in conformity with the general traditions of the college?
Necessarily, only such persons could sign the trust deed which the trustees are required to sign.

2457. You cannot conceive a governing body of a place of religion and learning being elected merely on the ground of intellectual eminence?
I could conceive of it, but I cannot conceive of it as being practicable in a theological institution. The trustees of our college are not elected on grounds of learning, but on grounds of general position and influence; no such qualifications as are necessary for tutors are needful in their case.

2458. Is the discipline left entirely in the hands of the principal of the college and the tutors?
Not entirely; there are monthly meetings of the college committee, and all serious cases of discipline come before the board of committee and trustees; but the principal has general control of the house.

2459. Have the tutors to sign the trust deed?
They have to sign the trust deed.

2460. So that, in fact, all those who administer the institution have to sign the 15 articles which were imposed by the Countess of Huntingdon, and her co-founders?
Yes.

2461. I believe some time ago it was generally understood that the benefits of the college were only open to those who intended to enter the ministry in connection with Lady Huntingdon's connection?
That question was mooted for very many years. The opinion of Sir Roundell Palmer upon the matter was obtained within the last 12 months, and he pronounced very strongly in favour of the Catholic construction of the deed which for the last 30 years the trustees themselves have always upheld.

2462. You, yourself, would go rather further, and abolish the 15 articles as a test of admission, substituting a general examination?
Yes.

2463. Would that general examination have reference merely to intellectual and moral qualifications, or also comprehend doctrinal belief?
It would include doctrinal belief.

2464. On the ground that it is desirable that those who are to enter the ministry should have a distinct dogmatic belief?

On the ground that the college was founded for a specific theological purpose. At least one-third of the expenses of the college are met by subscriptions, and the subscribers need to be satisfied as to the opinions of those who are to be educated there. For example, I cannot conceive that any subscriber to the college at Cheshunt would be willing that a Unitarian should be educated there at hs expense.

2465. Still a portion of the emoluments of the college are derived from endowments?
Yes.

2466. Take the case of Downing, which was founded 50 years after Cheshunt, can you see any reason why Downing should be thrown open to Unitarians, and Cheshunt should not?
Simply because Downing is not an institution for the education of ministers exclusively.

2467. It was founded as a place of religion and learning in connection with the Church of England?
Those terms are much wider than the specific trusts of Cheshunt.

2468. Why should the requirements of a founder dating from the 19th century, in favour of the Church of England, be disregarded, while the wishes of a founder in the year 1768, in respect of Lady Huntingdon's connection are to be observed?
I am not prepared to answer the question. In the event of this Bill passing, it might follow that Downing would be a special case to be considered.

2469. Are you familiar with the Bill?
I am only generally acquainted with it.

2470. Are you aware that there is no exception in the case of Downing or any other college?
I understand there is not.

2471. As I understand you, you yourself would not be hostile to some such provisions being inserted in the Bill?
I could not answer such a question, because it would need a more minute acquaintance both with the constitution of Downing, and with the provisions of the Bill than I possess.

2472. Have you taken an active part in the agitation in favour of this Bill?
Not an active part in the agitation in favour of it; I have taken an interest in the Bill as a Nonconformist.

2473. In the case of Mr. Belsham, he was removed, and his place was filled by a more orthodox tutor?
I believe he resigned because he found it impossible to hold his position as a man who had gone from Arianism to advanced Socinianism.

2474. The fact of a gentleman, of Mr. Belsham's opinions, having obtained the position which he did in an orthodox college, was not held to be any reason for relaxing the tests in force in the institution?
I believe not; it was the force of public opinion, I think, that brought about Mr. Belsham's resignation. When he was appointed he was not so pronounced a Unitarian as he afterwards became; he was at first an Arian, and then his divergence from the doctrines which were held by the founders of the college became greater and greater.

2475. Did I rightly understand you to say that the Congregationalists have inherited the College of Cheshunt?
My meaning is this, that the members of the Countess of Huntingdon's connection have diminished rather than increased, and the Congregationalists are the only body who can consistently sustain the college. There is an article on baptism that would exclude Baptists; and the Wesleyan Methodists would be excluded by the Calvinistic character of the Fifteen Articles; so that practically the chief supporters of the college are Congregationalists, simply because they alone are in a position to support it.

2476. And because the Congregationalists have no formula of their own on any of those points?
No formula that would hinder their supporting the college in any way.

Rev. *H. Allon.*
14th March 1871.

2477. Have the Congregationalists, as such, any distinctive formula whatever?
That is a difficult question to answer, because each Congregationalist Church being independent has its constitution determined by its own trust deed.

2478. Is there anything but the decision of the authorities of the Wesleyan body that would prevent the Wesleyan community being united with the Congregationalist body?
I think there is a foundation deed which determines the doctrines of the Wesleyan Connection, and that is, I think, opposed in doctrinal respects to such Calvinistic views as those declared by the Fifteen Articles at Cheshunt?

2479. The objection would arise from the Wesleyan side, and not from the Congregationalist side?
Quite so.

2480. As far as the Congregationalist body are concerned, there would be no objection to receive a Roman Catholic congregation into union with the Congregationalist body?
No constitutional objection; there would be the practical objection that those who differed materially from Roman Catholics would simply cease to have fellowship with them; the term Congregationalism applies not to doctrine, but solely to ecclesiastical government.

2481. The Congregationalists have obtained the administration of Lady Huntingdon's College, at Cheshunt, in consequence of the absence of any positive opinions on the part of the body as such?
The Congregationalists have not obtained the administration of the college; I spoke of them as the chief supporters; nearly all the trustees are, I think, members of the Countess of Huntingdon's connection; and it is simply an accident that Cheshunt has come to be supported by Congregationalists to the extent it is.

2482. In the event of any trustees signing the Fifteen Articles, and subsequently ceasing to believe in them, is there any power of removal?
The trust deed, I believe, provides power of removal: "That none of the said trustees to be so elected, nominated, and appointed as aforesaid, be a Pelagian, Arian, Socinian, Antinomian, or Arminian, in his or their judgment"; and then it is provided if any trustee "become insolvent through his own negligence, extravagance, or wilful misconduct, or shall become a Pelagian, Arian, Socinian, Antinomian, or Arminian, that then, and in such case, and from thenceforth, he or they, so becoming insolvent, or a Pelagian, Arian, Socinian, Antinomian, or Arminian as aforesaid, shall cease to be a trustee"; so that there is power for the cessation of trusteeship in the event of heresy.

2483. Lord *Colchester.*] Has any attempt ever been made to alter this trust deed through Parliamentary or other interference?
No attempt.

2484. Would those with whom you act object to call in the assistance of the Legislature for the purpose of modifying any of the provisions of the trust deed under which your institution is governed?
Not the slightest, if any adequate end was to be obtained by calling in such assistance.

2485. You do not think the objections, which you say are felt in some cases, to subscription to the articles a sufficient reason for taking so strong a step?
No; I should not see the desirability of taking such a step, unless all parties were agreed that a modification was advisable.

2486. If this Bill passed should you desire that your students should receive a preliminary education at Oxford and Cambridge?
I should desire it, if practicable.

2487. Would you still desire it, notwithstanding that the colleges fell into the hands of parties whose religious belief very widely differed from your own; for instance, into the hands of Roman Catholics, Unitarians, and Positivists?
It would make not the slightest difference, in my judgment, in respect of the curriculum to which I now refer.

2488. You do not think the influences to which the young men would be exposed

exposed would make them less fit to undertake the work of the ministry for which they were destined?

We think if a man could not withstand such influences he would be ill fitted to become a minister of religion.

2489. What is the average age of your students on entering?

The maximum age is 28; the great majority enter at the age of 20 or 21 for a five-years' course; but if the general education were received elsewhere, and only the theological curriculum were to be received at Cheshunt, it would not be necessary that a man should enter so early.

2490. You would wish them to enter one of the Universities at the age of from 18 to 22, and come to you afterwards?

I think it would be the better for our theological colleges if the young men went through a secular course elsewhere.

2491. You are probably aware that Dr. Arnold expressed the opinion that education, entirely divorced from teaching of a theological or religious character, had a great tendency to assume an anti-religious character?

I should not like to see education divorced from teaching of a religious character, but I think the importance of dogmatic theological teaching is exaggerated.

2492. As regards many subjects taught in the University, for instance, philosophy and even history, do you think that such subjects can be taught without the introduction of religious ideas, or anti-religious ideas?

I would not send a son for general education to an irreligious man, or a man who was avowedly a rejecter of Christianity, but I would not hesitate to send a son to a man whose Christian theological belief differed from my own.

2493. I understood you to say that your college was affiliated to the University of London?

Yes.

2494. The lectures given by the professors would be attended by those who were members of University College?

Yes, only by them; University College is distinct from the London University. The affiliation to which I refer is simply that the students of our college go to the Board of the London University to be examined for degrees.

2495. Have there not been one or two lecturers in University College, whose opinions came within the category you mention of being hostile to Christianity?

I believe so; and yet their teaching never affected, so far as I am aware, the beliefs of the students.

2496. Do you consider every college a national institution, if founded strictly for the purposes of the ministry, though founded by a private individual?

I am not competent to answer that question, so much depends on the constitution of the college.

2497. Do you see any objection, on the ground of national rights, to a college founded by a private person having a denominational character, in the midst of Universities open to the whole nation?

None whatever, if people so prefer it. It was suggested to us some few years ago, by persons in authority, whether we should like to have Nonconformist theological institutions in the Universities of Oxford and Cambridge.

298. As regards the colleges which have been founded since the date of the Reformation as places of religion and learning, do you see any objection to the retention of their denominational character on account of their connexion with the University?

None whatever, so long as they did not claim strictly national funds in connexion with their proper denominational position.

2499. Should you consider endowments left by a private person since the Reformation strictly national funds?

Not simply as such, any more than I should consider endowments left to Dissenting Colleges national funds.

Rev. *H. Allon.*
14th March 1871.

2500. What do you consider national funds?
Property appropriated by the nation for specific purposes and controlled by it.

2501. Have the colleges of Oxford and Cambridge received anything whatever from the nation in that sense?
It is a matter upon which I am scarcely competent to speak, from imperfect acquaintance with the constitution of the colleges.

2502. Would your general principle apply to Church of England colleges founded since the Reformation?
I would say, as in the case of Nonconformist colleges, that in every case where the college was founded distinctly for the Church of England it should be preserved to the Church of England.

2503. An amendment of this Bill which did not go beyond that point you would not see any great objection to?
No.

2504. Duke of *Somerset.*] How many students have you in your college?
About 30; the college is being enlarged, so as to make provision for 40 students.

2505 I understood you to say that one or two of the students had become Church of England clergymen?
Several of the students have become clergymen of the Church of England.

2506. Afterwards?
Yes, and some have gone from the college direct.

2507. You do not consider that the college is necessarily separate from the Church of England?
I think it would be perfectly in accordance with the constitution of the college if every student became a minister of the Church of England.

2508. You mentioned the case of Dr. Davidson; was he a tutor in a college of the same denomination as the college at Cheshunt?
No; Cheshunt College does not belong to any denomination; but Dr. Davidson was a tutor in an Independent college at Manchester, and he published a book which was supposed to depart from the general views held by the supporters of the college, and he had to resign in consequence.

2509. Do you take much interest in this Bill?
I have not taken an active interest in it. I have taken a general interest in it, and I regard it with sympathy, for my own family connections have suffered from the existence of the present tests. My brother-in-law was at the head of his tripos in natural science, and was precluded from taking a professorship which he probably would have had.

2510. You are anxious that this Bill should pass?
I should like to see it pass.

2511. *Chairman.*] With reference to what you have said about national property, I understand your definition of national property to be that which is given for a particular purpose under particular trusts by the nation?
Yes. Property that Parliament has dealt with I should regard as national property; that, for instance, which had been dealt with at the time of the Reformation.

2512. You regard the violent transfer which took place at that time from one set of opinions to another as constituting for future time a title to Parliament to interfere again?
I should so regard it.

2513. You do not hold the doctrine that property by reason of the length of time that has elapsed, has ceased to belong to those for whose benefit it was bequeathed, and belongs to the nation?
Not simply for that reason, but in combination with other circumstances it might. Parliament must have power to deal with all trust property for the commonweal. The Dissenters Chapel Act a few years ago secured to the Unitarians all chapels of which they had been in practical possession for 20 years.

2514. That was in the nature of a Prescription Act?
It was in the nature of a Prescription Act. The Charity Commissioners act on the assumption that the nation has the power to deal with trust property within certain limits.

2515. The Charity Commissioners act on the doctrine of *ci-pres*; you do not hold that the nation has an unlimited right to interfere with property left some time ago for the purposes of the Church of England?
Certainly not.

2516. You would regard the Church of England and Dissenting bodies as standing precisely on the same footing in that respect?
Precisely on the same footing.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Friday next, at Twelve o'clock.

Die Veneris, 17° *Martii*, 1871.

LORDS PRESENT:

Duke of SOMERSET.	Lord COLCHESTER.
Marquess of SALISBURY.	Lord ROSEBERY.
Earl STANHOPE.	Lord STANLEY OF ALDERLEY.
Earl of CARNARVON.	Lord LYVEDEN.
Earl of HARROWBY.	Lord HOUGHTON.
Earl of MORLEY.	Lord HARTISMERE.
Earl BEAUCHAMP.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

CHARLES REED, Esq., a Member of the House of Commons, attending by Permission of that House, is called in; and Examined, as follows:

C. Reed, Esq., M.P.
17th March 1871.

2517. Earl *Beauchamp*.] YOU are Member for Finsbury, I think?
For Hackney.

2518. And you have taken considerable interest in the agitation in favour of this Bill?
I have taken considerable interest in this question.

2519. In the year 1864, you were Deputy Chairman of a Committee of Deputies of the three denominations of Protestant Dissenters, from which a petition was presented to Parliament, were you not?
Yes.

2520. That petition, as you are aware, dealt with the question of the University of Oxford, and not with the University of Cambridge, nor with any of the colleges?
I am aware of that.

2521. What I want to ascertain from you is, what is the main object which the various Nonconformist bodies have in pressing forward this Bill; is it with reference to the Universities or to the colleges?
It has reference to both.

2522. Will you state upon what grounds they press it forward?
The object is the removal of all religious tests.

2523. On the ground that all religious tests are in themselves an evil, or that they are unnecessary, looking to the position of the Universities and the colleges?
On the ground that they are unfair to the nation, considering the Universities to be national institutions.

2524. On what grounds do you consider the Universities to be national institutions?
The Universities themselves claim the position of being national Universities, and the public accord that position to them.

2525. In what sense do you use the word "national;" do you mean that they were endowed by the nation?
That they should be freely open to all classes of the community.

2526. Are you aware that the free opening of the University of Oxford dates only from the year 1854?
Yes, I am aware of that.

C. Reed, Esq., M.P.
17th March 1871.

2527. And that, prior to the year 1854, no person was admitted to matriculate in that University unless he signed the Thirty-nine Articles?
I am aware of that.

2528. That system was done away within that year?
Yes.

2529. In the case of the University of Cambridge, no such subscription was required until the student had attained a Bachelor's or Master's degree?
Not until he had attained a Bachelor's degree.

2530. Then you would say that, before the year 1854, the University of Oxford was not a national institution?
It was not in that sense.

2531. Then will you explain to us in what sense you consider the colleges, as distinct from the Universities, to be national institutions?
Parliament has dealt with the colleges, with their regulations, and statutes, and endowments, and has made great alterations in them, and our desire is that Parliament should still deal with them in the interest of the nation.

2532. Your contention is, that when Parliament has once dealt with institutions they have become national institutions?
I regard them as the avenues to a great national University or Universities.

2533. You are aware that that is not the case now. Formerly a person could not become a member of the University unless he was a member of a college or hall within that University. That state of things exists no longer; a person may become a member of the University and obtain his degree without being a member of a college or hall?
I know that it is a great disadvantage to a certain class of the community not to have the opportunity of going to a college, and so gaining their rank in the University.

2534. But I wish to ascertain how it is, for instance, that a college which is of private foundation, though recognised by the law, is to be considered a national institution?
The history of the foundation of these colleges leads me to the conclusion that Parliament, having dealt with their regulations and funds, is entitled to deal with them still for the advantage of the nation.

2535. You are aware that Parliament in the year 1844 dealt with the Dissenters' chapels, and passed an Act which materially affected the position of the trustees; in fact, the whole position of those chapels and the endowments connected with them?
Yes; it gave to Unitarians chapels which they had enjoyed for 25 years.

2536. Would that render the Dissenters' chapels which were affected by that measure national institutions?
I do not see the analogy of the two cases.

2537. Will you point out the distinction between them?
The question as to the Dissenters' chapels was a question affecting the articles of faith to be held by the ministers appointed to those pulpits. It was strictly a doctrinal question. It had nothing to do with an educational question.

2538. But I apprehend that these educational questions are strictly religious questions, are they not?
The test is put as a religious test.

2539. You are aware that every college in the University of Oxford, and the Universities themselves, when Parliament has dealt with them, are defined to be places of religion and learning?
They are defined as being places of religion, morality, and learning, I think, at Cambridge. I am less familiar with Oxford than with Cambridge.

2540. Religion, at all events, stands first, as the primary object for which the Universities and the colleges exist?
Yes.

2541. Then the distinction which you point out between the case of the Dissenters'

senters' chapels and the Universities and the colleges, will hardly hold good with regard to the question of religion; if religion is the primary object for which the Universities exist, and to promote which Parliament has interfered with the Universities, that would place them upon the same footing as Dissenters' chapels in the sense in which you have referred to them?
I think not.

2542. Can you explain why not?
The colleges were founded, as you are aware, in Roman Catholic times?

2543. Do you mean to state that all the colleges in both Universities have been founded in Roman Catholic times?
No. I think at Cambridge, with the exception of three or four, they were founded in Roman Catholic times.

2544. Then you would not propose to interfere with the constitution of the colleges founded subsequently to Roman Catholic times?
There is no proposal to interfere with specfic endowments for the strict purpose of the education of the clergy.

2545. But in the case of a place of education founded since the Reformation as a place of religion, and learning, and of education, according to the principles of the Church of England, do you think it would be just to disturb that arrangement, and to throw the administration of that institution open to persons of any belief or of no belief?
Our claim is, that all fellowships and tutorships open to laymen at the present time should be opened to Nonconformists?

2546. Quite irrespective of the intention of their founders that those institutions should be in strict conformity with the Church of England?
Yes; I speak of all those which are open to laymen.

2547. Can you tell us why you would draw that distinction in the case, for instance, of Downing College, which was founded in the present century, and yet maintain the religious tests, as I assume you would maintain them, in strictly theological colleges for the education of the Nonconformist ministry?
The endowments of Nonconformist colleges are strictly for the purpose of training men for the Christian ministry, for ministerial work, and they are precisely similar to those at Downing College for the training of clergymen for work in connection with the Church of England.

2548. Then why are provisions for maintaining a definite theological teaching in the Nonconformist colleges to be maintained when similar provisions would be set aside in the case of Church of England colleges founded since the Reformation?
There is no provision for maintaining that definite teaching in Nonconformist colleges, so far as laymen are concerned; it is simply so far as students for the ministry are concerned.

2549. But the endowments of these Nonconformist colleges are strictly confined to Nonconformist objects?
They are granted for and used by those who are desirous of being trained in theological studies for ministerial work.

2550. You are aware that the greater part of the clergy of the Church of England are educated at the Universities of Oxford and Cambridge?
I believe they are.

2551. And that, until recent times, many, if not most of the bishops, refused to ordain a person who had not obtained a degree at one of the Universities, unless under exceptional circumstances?
I have heard so.

2552. Has it occurred to you that the principal provision for the training of the clergy of the Church of England being found at the Universities and in their colleges, it is but fair and just that there should be some provision for the maintenance of the Church of England teaching there?
I am not aware of any necessity for it; and looking at the institutions as national, I fail to see the justice of it.

2553. Returning for a moment to the question of endowments; can you tell us anything about the constitution of any Nonconformist college.
I am familiar with the names of them. I am not quite sure that I am familiar with their precise constitution.

2554. You are not a trustee for any of them, are you?
No; I have a son at one of them, at New College.

2555. Have you any acquaintance with the constitution of New College?
I cannot say that I am very familiar with it.

2556. Are you aware that New College possesses endowments to the extent of 2,630 *l.* a year.
Yes, I suppose so.

2557. What securities exist that these endowments should be administered in accordance with the desires of the donors?
They are given in the shape of scholarships to scholars as the result of merit in competitive examinations, such men having come to the college with the express design of preparing for the ministerial work?

2558. Are they subjected to any test on entering?
None, that I am aware of.

2559. They are not subjected to any examination beyond a purely intellectual one?
They are subjected to a religious examination, no doubt, because the college of which I speak is connected with the Nonconformist body, called the Congregationalists.

2560. Who administer these funds?
A board of trustees, through a council.

2561. How are those trustees appointed?
By subscribers, who have the charge of all the public property.

2562. But in the event of a vacancy occurring in the number of trustees of New College, how would it be filled up?
I am not quite aware, but I should think by the subscribing body—by those who govern the institution. There may be differences in the trusts of the several colleges. In the case of the scholarships founded by Dr. Pye Smith, I believe a vacancy is filled by a vote of the subscribing body.

2563. That would be in reference to one particular scholarship. I was rather directing your attention to the general fund, which amounts to 2,600 *l.* odd?
The fund came chiefly from endowments connected with Dr. Doddridge's College; a college which was formerly at Wymondley.

2564. New College is a combination of three foundations, is it not?
Yes.

2565. Highbury and Homerton were two of them, and what was the third?
Coward College, which was formerly at Wymondley.

2566. I apprehend that nobody would be appointed either a trustee or a member of the governing body of that college whose views and opinions were not in conformity with the tenor of the trust?
I should think not; but there is no test that I am aware of.

2567. And the trustees are generally appointed at an advanced period in life; they are men with their opinions formed, and of stable mind?
No; I think, usually, younger men are appointed trustees.

2568. But they are young men whose opinions are formed, and not in the condition which has been described to us by the expression "in a fluid state"?
Just so; they are men who are known as having formed opinions of their own.

2569. You would not consider it a desirable arrangement, would you, that the governing body should be elected in consequence of intellectual distinction, or as the result of one examination?
Certainly not the governing body.

2570. You think it would produce mischief?
The governing body is elected by the body subscribing and maintaining the institution.

2571. I meant the trustees?
I should think not; I do not think they are ever chosen in that way.

2572. You are aware that the heads and fellows of the college at Oxford and Cambridge compose the governing body of those colleges?
Yes.

2573. Does it appear to you to be reasonable that the government of institutions of such importance should be entrusted to gentlemen who are chosen purely by the result of an intellectual examination?
It does in such cases.

2574. Even although they would have to administer an institution which is founded for the education of persons in the principles of the Church of England, and mainly for the ministry thereof?
Taking the definition of the Universities as being "places of religion, morality, and learning," I consider that the government should be open to all who, as the result of their own merit, have acquired a position in the University entitling them to such distinction.

2575. You will understand the position of parents who would object to sending their sons to a place of education which was in the hands of Unitarians?
I should; I should deplore it myself as a father.

2576. Do you think it reasonable that there should be some guarantee for the religious teaching to be given in the colleges?
That could only be done by a test, and I do not think any test would be of avail.

2577. Have you ever considered whether it would be possible to have such a declaration as is contained in the 1st of William and Mary, chapter 18, section 13?
This is the declaration. The person taking it has to subscribe a profession of his Christian belief in these words:—"I, *A. B.*, profess faith in God the Father, and in Jesus Christ His eternal Son the true God, and in the Holy Spirit, one God, blessed for evermore; and do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine inspiration."

2578. Such a declaration in that would afford no restriction whatever in the case of what are called the orthodox Dissenters, would it?
That would satisfy me personally if any declaration were required, but it would be an injustice to others of the community who are equally entitled to share the advantages of the national Universities.

2579. I do not quite understand the point of view from which you start; you say "All persons are equally entitled to share the advantages of the national Universities:" all persons who are qualified are, no doubt, but there is no abstract right entitling a person to a fellowship merely as the result of intellectual distinction at the present time?
The plea is now that Parliament should interfere and decide that question which has agitated the public mind, and remove a grievous injustice from a large portion of the community.

2580. Do you think that there is a greater injustice in excluding a person from a foundation who does not comply with the will of the founder, than there is in excluding a person from the advantages of purchasing an article in a jeweller's shop when he cannot provide the sum demanded from him by the tradesman?
I think the question of the position of the Universities and the colleges is a question of larger considerations altogether as regards the nation, and demands to be dealt with upon a broader principle.

2581. But I want to know what abstract right there is which entitles a person, as the result of examination, to become a member of the governing body of a place of religion and learning?
I am not aware of any abstract right.

C. Reed, Esq., M.P.
17th March 1871.

2582. I ask the question because you have used the expression that it would be an injustice to deny to persons such opportunites?
I am accepting the claim of the nationality of the institutions.

2583. Has that claim to the nationality of the institutions been urged by the representatives of the Universities, or by persons who are anxious for some such Bill as the present?
I have seen petitions from the Universities acknowledging that, and desiring that it should be admitted, and I know that that is the feeling at Cambridge of large body of men.

2584. You are aware that both at Oxford and Cambridge, opinions are very much divided upon the subject?
Yes.

2585. Then I understand you to say that you would object to any security for the religious character of the foundations?
I should, in the shape of a test.

2586. Will you indicate any other security which you think might be provided?
I should think every parent would choose a position for his son, having regard to the high probability of Christian influence and Christian companionship in his college. I did that in sending my son to Trinity College. I did not consider that in the college itself there would be any religious teaching of any value, but there were influences in connection with that college which seemed to me to make it very desirable that, as a Nonconformist, he should go there.

2587. Earl *Stanhope*.] You are speaking of Trinity College, Cambridge?
Yes.

2588. Earl *Beauchamp*.] But that state of feeling and of influence to which you refer has grown up under a system in which tests exist. If tests are swept away, can you indicate any other securities which would take their place: I understood you to say that you did not object to a security generally, but only to tests?
I object to the tests; I very much desire to see Christian or religious influence maintained as much as possible.

2589. Would you object to the maintenance of the chapel service in the colleges?
I regret that it is compulsory; but my son, though a Nonconformist, always valued the daily prayers.

2590. My question was, would you object to the maintenance of the chapel service in the colleges?
As a parent, I should desire that there should be the maintenance of prayers similar to those which a young man would have in his own family. I object to the attendance being compulsory, though the Nonconformists almost all accept it.

2591. You are aware that at the present moment there is no obligation beyond the college statutes and ordinances to perform Divine service according to the Liturgy of the Church of England?
Yes; in Trinity College there is a great degree of liberality shown.

2592. And you are aware that the Bill now before the House of Lords destroys the prohibition of other services?
Yes.

2593. Therefore you would have no guarantee whatever for the maintenance of the service of the Church of England, or of any other service in a college chapel?
No.

2594. Do you consider that a satisfactory state of things?
I do, because the alternative is a compulsory regulation.

2595. It is not compulsory for attendance, but for the performance of Divine service. I wish to bring before your mind the consideration that the question of compulsory

compulsory attendance at Divine service is one thing, and the compulsory performance of Divine service is another?
Do you allude to attendance on Sunday?

2596. The question of Sunday or week-day does not affect my question?
If the attendance were voluntary, I should consider it an advantage that a service should be maintained.

2597. And you would consider it the reverse of an advantage if the chapel services were to cease?
I should very much regret that there should be no opportunity for young men to attend a service, but I object to its compulsory character?

2598. Then if that state of things, that there should be no opportunity for young men to attend Divine service, grew up under this Bill, supposing it were to pass into law, you would regret it?
I should regret it, but I see no help for it.

2599. Would it be possible to provide that the service should be maintained?
No compulsory enactment makes it a religious exercise on the part of the undergraduates; I should think it would be quite possible, and most desirable, that the service should continue to be performed. I refer to the daily prayers.

2600. Does it appear to you to be an inconvenience that a large portion of the governing body should not be resident upon the spot?
I am not aware of any inconvenience.

2601. You think that it is not an inconvenience that non-residents should over-ride the opinion of the residents upon a question, with respect to the discipline of the college?
I am not so well acquainted with the arrangements as to be able to answer that question.

2602. You are aware that this Bill is a combination of two measures which were presented to Parliament at different times?
Yes.

2603. The one dealing with the Universities, and the other with the colleges?
Yes.

2604. To which of these two Bills do you apprehend that the Nonconformist bodies would attach the greatest importance, that which touches the Universities and removes the tests from the University degrees, or that which deals with the colleges?

I think they regard them both as of equal importance; they look at them as one measure?

2605. Duke of *Somerset*.] You wish, as I understand, that all tests should be done away with?
Yes.

2606. Then, am I to understand by that, that you would object to the professors of Divinity being maintained in the Universities for the purpose of teaching the Church of England doctrines?
No, I do not know that I should object to that for Divinity students.

2607. You would not object to that?
I see no objection to that.

2608. You would not object to these professors of Divinity being obtained if there is no other security by means of a test?
I do not wish to see any test applied to a candidate for any position of honour, emolument, or trust, in the Universities.

2609. So far as the Nonconformists are concerned, as they would not teach Divinity according to the doctrines of the Church of England, it would signify to them very little whether the professors of Divinity took a test or did not, would it?
They only express an opinion as to the fellowships and tutorships in the colleges.

C. Reed, Esq., M.P.

17th March 1871.

2610. That would be all that the Nonconformists would care for?
That is all that they have ever asked.

2611. They would not ask anything respecting the professors of Divinity, as I understand?
They have not done so.

2612. Do you suppose that they would say that it was an injustice to them that any professor of Divinity should exist in the Universities, teaching the doctrines exclusively of the Church of England?
The doctrines of the Church of England are, in the main, identical with those of the Nonconformist bodies.

2613. I wanted to know whether you would object to the professors of Divinity being secured in some way or other to teach exclusively the doctrines of the Church of England?
I do not see what security can be taken.

2614. You do not think a test is any security?
None at all; because bad men will drive through your test, while conscientious men will be driven away from the Universities.

2615. But the Nonconformists take some security with regard to the persons who teach in their colleges, do they not?
No test is applied. They form an opinion as to the principles and views of the men they put over their colleges; but there is no obligation in the shape of tests.

2616. And you think that that would be the best security even for professsors of Divinity?
I do indeed.

2617. Lord *Lyveden*.] I suppose you know, or have heard of, Cheshunt College?
Yes.

2618. Upon students entering there, they subscribe to 15 pretty severe articles of faith, do they not?
Yes; that is a college connected with the Countess of Huntingdon's denomination, and partakes very much of the Church of England character.

2619. Still they would come under the general denomination of Dissenters, would they not?
Some of the students are Nonconformists, and some are not; the prayers of the Church of England are used daily, and many members of the Church of England either are, or have been, students in that college.

2620. But the college was originally founded as a separation from the Church of England.
It was founded, I believe, by the Countess of Huntingdon.

2621. Then you would think, judging by the evidence you have given, that such a test as that was objectionable?
Yes, it was an objection to me; in placing my son in a college I considered that that was an objection, and therefore I sent him to New College, London.

2622. Your only objection to the test for professors of Divinity is that you do not think it at all binding; that it has never succeeded in excluding persons of little belief, and that it never will.
It never will act as a test to keep out a man of no belief.

2623. But it would be a test to keep out men of different belief from the Church of England, you think?
Yes.

2624. For instance, I suppose you would not subscribe to the Thirty-nine Articles?
No.

2625. Lord *Houghton*.] Do you think that the Dissenters generally would be content with this measure, supposing the portion of it which refers to that clause

clause of the Act of Uniformity which prevents the establishment of any other religious worship in the colleges than that of the Church of England, was not included in it?

Certainly not.

2626. You think they would require the abolition of that clause?

I think they will; I think they desire very much to see a service maintained, but they do not desire that it should be compulsory.

2627. Do you know Cheshunt College?

Not so well as others, but I do know it; I know the tutor.

2628. Do you know the effects of such tests as are required there upon the students?

Certainly not.

2629. It may be considered almost as a Divinity college, may it not?

I think so. I think there are very few lay students there; indeed, I think it is entirely a Divinity college.

2630. And, therefore, of a purely professional character?

Quite professional.

2631. And totally different in its objects and bearings from the colleges in the Universities?

Quite distinct.

2632. Earl of *Harrowby.*] I think you say that the Nonconformists would object to the reservation of the college chapel still for the use of the service of the Church of England?

I think the Nonconformists sending sons to Cambridge would desire that there should be a voluntary service; that is, "daily prayers."

2633. But I thought you said that they would wish for the abolition of the provision in the Act of Uniformity which secures that object?

I would object to nothing but the compulsory nature of the attendance.

2634. Then they would not object to any provision that that service should continue in the chapels?

If it was a voluntary attendance on the part of the undergraduates, I think think they would desire that the service should be maintained.

2635. You would have no objection to a provision being taken that the service of the Church of England should go on and no other?

I should desire very much, as a father, to have that service maintained, or to have a service maintained; I think, considering the number of Nonconformists now in the colleges at Cambridge (I do not know so much about Oxford), that the service might be altered with great advantage. There are many parts of it to which the Nonconformists object, though they accept it and constantly go to the chapel; I believe they are most regular in their attendance.

2636. It has been stated to us that there is great security for the religious character of the management of Nonconformist colleges, in the choice exercised by the voluntary subscribers, who, having a definite religious purpose in view, have an interest in making a proper choice for the heads and tutors?

The Nonconformist colleges are strictly theological institutions, and therefore it is very important that they should exercise that control.

2637. Has it not always been rather a boast of reformed Englishmen, that the distinction between the layman and the minister has not been kept up so strictly as in other churches, but that a layman is expected to understand his own religion, and to be able to give a reason for it?

But the lay student does not go through a theological training.

2638 Would you have him receive no theological instruction while at the Universities?

Not there; he is supposed to receive that before he goes to college.

2639. During the three years he is at college you would have him entirely devoid of any religious training?

C. Reed, Esq., M.P.

17th March 1871.

The lay students seldom live in the college; they simply come to the lectures. The theological students reside in the house and have theological training.

2640. The college is that "house" in which the student resides, and where you would expect that he should receive some religious training?
Yes, if the man is under training for the ministry.

2641. You would only apply theological training to those who are studying for Orders?
Yes.

2642. And you would leave all young laymen without training in religion at all?
That their parents must provide; they do not live in the house.

2643. But they are living in the college?
They do not live at the college; they live in the neighbourhood, and they take advantage of the college to attend the lectures there.

2644. I speak of the Universities of Cambridge or Oxford?
I beg your Lordship's pardon; I was thinking of New College, London, and other similar institutions.

2645. I was saying that at Oxford and Cambridge the college represents the house you spoke of; you say, "in the house" they receive that religious training; I say then you would not object to the college affording a religious training to young laymen?
I do not see how young laymen at Cambridge can have a religious training; I never heard of such religious training or teaching being given.

2646. Do they not attend lectures in Divinity?
They attend lectures on Paley's "Evidences of Christianity," I think, and on the Gospels; I do not call that a religious teaching or training, it is merely preparatory to examinations.

2647. But whether that is actually practised in particular colleges or not, you would see no disadvantage, but the reverse, in a young man receiving some guidance in the way of religious training, should you?
I do not call that religious training; I should see no disadvantage in his attending such lectures.

2648. Then anything that would keep up the character of a religious institution to our Universities, without interfering with the individual conscience, you would consider to be rather an advantage than otherwise, would you not?
I should consider a religious training an advantage; but I believe it is found more outside than inside the colleges.

2649. You believe that a total absence of any profession of belief in any religion would be an advantage to our Universities?
I do.

2650. Do you think it is an advantage in the foreign Universities, for instance, the German Universities, where it exists?
I think it is a great advantage that there are no tests there.

2651. You believe that it breeds a more religious body of men?
I cannot answer that question; I think that is just and fair that there should be an absence of tests as to religious belief.

2652. Should you feel the same security if you were sending your son to a University where there was no profession of religious faith at all, and no security that in any house he occupied there would be any definite profession of religion as in one where that did exist?
My best answer is that I was educated in the London University, and I preferred that my son should go to Cambridge, because of the social position and the literary advantages and the religious influence which I hoped he might obtain there.

2653. Earl *Beauchamp*.] When you said you were at the London University, did you mean University College?

It was the London University when I was there; it is University College now.

2654. Earl of *Harrowby*.] Considering that a great number, and, perhaps the larger proportion of those who frequent the Universities, have hitherto enjoyed the advantage thereof, having a definite character to a certain degree impressed upon their younger people; do you consider it quite fair to destroy all those advantages for the sake of the admission of a few?

I am not aware of the definite character of the religious teaching or training at the Universities, and I do not think anything ought to be required for the advantage of some which makes it impossible for others to enjoy the same advantage.

2655. I quite agree as to the restrictions upon conscience, but the question is as to the teaching and governing body; whether you are to have a teaching and governing body totally devoid of any profession of religious character?

I do not think you can have any evidence of religious character through the agency of any test.

2656. You think that it makes no difference to a man in teaching whether he has publicly professed a belief, or whether he has professed none?

I think you are in greater danger of having men who have no religion accepting your test; and you are in the greatest danger of excluding men who will not take your test, and who would be most valuable to your institution.

2657. Supposing there were, for instance, a very excellent tutor, who was a Roman Catholic, should you wish to have him, whatever his personal excellence might be, as a teacher of your son in religion?

I should not place my son in a college over which a Roman Catholic presided; I should make that an element in my consideration in placing my son at a college.

2658. Supposing you had sent your son to a college, and a Roman Catholic tutor were appointed there, your only remedy would be to take him away from the college, would it not?

It would depend upon what amount of influence and power the tutor had. I certainly should not choose it; but men who have taken tests have become Roman Catholics, and still remained in the governing body. I think I am right in saying that men who have become Roman Catholics since they took the tests are still in the governing body at Cambridge.

2659. They are now excluded from a share in the teaching and governing of the University; but if this Bill passed, they would be admitted, would they not, in no small numbers?

Yes; no man would be excluded then by any tests, of course.

2660. Do you think that would be an advantage to the religious character of the University?

I am opposed to all religious tests.

2661. I know that; but I am asking with regard to the general principle; I was rather trying to test the value of the tests by a practical result; should you think it an advantage or otherwise, that men who have become Roman Catholics should at once be introduced into the governing body of the University?

I think it is necessary to abolish all tests.

2662. And you do not mind the consequences?

No; I must accept the consequences; I do not fear them.

2663. But you would have no objection, as I understand, to securing the character of the Church of England being still impressed upon the college chapels?

I did not mean to say that the teaching of the Church of England should be impressed upon the undergraduates through the teaching in the college chapels. I said that, as a father, I should desire to see a religious service to which the young men might go daily; and I believe they would avail themselves of it, if the attendance was not compulsory.

C. Reed, Esq., M.P.

17th March 1871.

2664. Would you have that service varying from time to time, according to the will of the majority of the fellows for the time being?
It would be under the direction of the governing body, of course.

2665. The governing body might be largely Roman Catholics?
I do not anticipate any such result occurring.

2666. But it might occur; there are a considerable number of Roman Catholics already, and might they not get into possession of a particular college?
They might, certainly.

2667. Then you would have no objection to a Roman Catholic service being introduced into a college chapel?
I should, as a father, exercise my own judgment, and I should not send a son there; but I cannot see how that can be avoided.

2668. It can be avoided by the present system, by which only one service is permitted in the college chapels?
Yes; but I mean after the abolition of tests.

2669. Then you think that the principle of the abolition of tests is one so valuable in itself, that to it you would make any practical sacrifice?
I consider that it is a necessity.

2670. Would you carry out that principle as applied to every career in life?
I am not aware of any tests elsewhere.

2671. Tests may be other than religious; they may be intellectual?
I am speaking now of religious tests.

2672. Then you confine yourself to religious tests?
Yes.

2673. Would you relieve the Sovereign on the throne from the test of her being a Protestant?
I would rather not answer the question.

2674. Would you prevent hereafter the founding of colleges in the University having a more strictly denominational character?
No, I should take no means to prevent it. The Nonconformists do not desire to found colleges, but to avail themselves of the present ones, if possible.

2675. Supposing colleges have been already founded with a strictly denominational character, you would prevent them from continuing in that character, but you would not prevent similar colleges from being founded in future?
No; for myself, I do not desire to see denominational colleges, but I do not think there could be any interference with them, if such colleges were established.

2676. You would abolish the denominational character of those which have been founded with that purpose, but you would not prevent the founding of new ones with the same purpose?
No, I would not.

2677. Upon what ground do you draw that distinction between the past and the future?
May I ask what you mean by denominational colleges?

2678. I mean those colleges or those foundations which have been given distinctly for the maintenance of a Church of England training. I understand that you would neutralise them, if I may so call it; but you would not prevent other members of the Church of England in the future from founding denominational colleges similar to those which are now proposed to be neutralised?
I was speaking of the Nonconformists. The proposal has been made that they should found colleges of their own; I should not personally desire to see it, but I could see no objection to it if it was wished.

2679. You could see no objection to members of the Church of England founding denominational colleges, if they pleased?

I can

I can see no objection, supposing it does not interfere with the general arangement of fairness which I desire to see in connection with the national Universities.

2680. But if there have been distinct foundations in the past for the purpose of promoting the interests of the Church of England as such, denominationally, you would have no scruple in depriving them of their distinctive character?
Do you refer to the endowments of Downing College?

2681. Yes, and of various other colleges; there are several of them. There are a quantity of fellowships, a quantity of studentships, and a quantity of scholarships which have been founded with that view?
I have said before that I desire to see all fellowships, scholarships, and tutorships which are open now to laymen, opened to Nonconformists.

2682. But would you hereafter forbid any college being founded which should provide endowments distinctly for members of the Church of England, or for clergymen?
No; I do not know that there would be anything objectionable in that.

2683. If you give that liberty for the future, why do you think it necessary to act retrospectively with regard to the past, and destroy all such endowments as already existed of the same character?
I should still object to the religious tests.

2684. Whatever the name may be called, if you intend to provide for a particular denomination, you must make some security for effecting that object. Are there no subscriptions amongst the Nonconformists?
None that I am aware of.

2685. Are there not endowments amongst the Independents, which require subscription to 34 out of the Thirty-nine Articles?
Not that I am aware of.

2686. Then they have been abolished recently?
In some trust deeds of chapels there may be something of that kind, but I am not aware of it in any colleges.

2687. Did not the whole question of Lady Hewley's endowment rest upon that principle; was not it held that she intended to provide for a certain profession of faith, and that that ought to be maintained?
I am not fully acquainted with that controversy; I remember that there were legal decisions with reference to Lady Hewley's charities, but it is many years ago, and I do not call them to mind exactly.

2688. Have you not in voluntary contributions a better security in one respect, than you have in endowments for the religious character of those who have the management of the institutions?
Voluntary contributions come from persons who are living, and have the direct oversight of the institution.

2689. You require more security where there are endowments than where there are not endowments, in that respect, do you not?
The voluntary subscribers being managers, are a sufficient guarantee for the objects of the institution being carried out.

2690. Has not the very strong feeling which has arisen amongst the Nonconformist bodies against the endowments, very much arisen from what took place in that case with regard to Lady Hewley's endowments, in which they came rather to the conviction that endowments gave very little security for the quality of religious teaching?
I am not aware that that is the approximate cause of any action of theirs.

2691. I think it turned out, then, that the great majority of the Presbyterian endowments founded by Lady Hewley, had fallen into the hands of Unitarians?
I believe so.

2692. And upon that, I think, the argument was very much rested, that endowment led to indifference?
I am not aware of that. I am not in favour of endowments.

C. Reed, Esq., M.P.
17th March 1871.

2693. *Chairman.*] You are acquainted with Keble College, are you not?
No, I am not.

2694. You have heard of it?
I have.

2695. Would you propose to prohibit any preference for members of the Church of England in Keble College in the appointments to the tutorships there?
I am not sufficiently aware of the constitution of Keble College to speak on that point.

2696. You are aware that it was founded entirely and very recently by the money of members of the Church of England?
I am.

2697. And for the purpose of giving a Church of England education?
Yes.

2698. Should you think it just to alienate it from those objects?
I think it is confined to men who are entering for theological training.

2699. No, it is generally for both clergy and laity, but it is to give a Church of England training; would you think it just to forbid that training, and to alienate the college from the purpose for which its donors subscribed their money?
I should think that a specific gift for a definite purpose should be retained.

2700. And if you would retain it in respect of an endowment last year, I suppose you would retain it in respect of an endowment given 10, 20, or 30 years ago?
I think the same principle would apply.

2701. The point, then, upon which you would insist in deciding as to the application of any endowment would be, that it should have been specifically assigned to the education of persons in the tenets either of the Church of England or of any other denomination; it is the specific assignment of the bequest to which you would look?
Yes, in modern times.

2702. How would you define "modern times"?
I can hardly draw a line; but I am looking now to the ancient foundations of the colleges of the Universities of Oxford and Cambridge with which Parliament is proposing to deal.

2703. But they differ in antiquity to a very great degree; there are some which were founded before the Reformation?
Yes.

2704. With respect to those, you would have no doubt?
Just so.

2705. But there are several which have been founded at various periods since the Reformation?
Yes.

2706. Do you propose to appropriate all those to the purpose of an indiscriminate education?
I should limit it to those of recent date.

2707. What kind of definition would you give of "recent date," because that is an important matter for legislation?
Such as the one your Lordship has instanced, Keble College, if the constitution of it is what I suppose. I am not familiar with its constitution.

2708. Would you respect nothing that was more than 12 months' old?
No, I do not think that that would be a proper limit of "recent date."

2709. You are aware that in the Irish Church Act the limit taken was the date of the Restoration?
Yes.

2710. Do you consider that to be a reasonable limit?
No, I should not call that a recent date.

2711. Do you think that it is just to take away from testators who bequeathed their money for the benefit of the Church of England, money that was bequeathed at so recent a date as that?
It is a difficult thing to draw a line, and to show what might be considered to be a "recent date"; I am speaking now of modern times; I would respect any gifts for a specific purpose in modern times.

2712. But in framing an Act of Parliament it is absolutely necessary to define a limit?
I am not able to draw that line.

2713. Do you wish to lay it down as a general principle, that whatever endowment is not of recent date, be its destination religious or otherwise, need not be respected by Parliament?
I desire the abolition of religious tests in connection with University endowments.

2714. Do you desire the abolition of all religious endowments?
I have made an exception in the case of modern gifts for specific purposes.

2715. Those that are of an undefined but recent date?
Yes.

2716. But, with that exception, do you desire the abolition of all religious endowments?
I do not value religious endowments.

2717. But do you think it desirable that Parliament should confiscate them?
I should not apply the term confiscation to the Act proposed by Parliament.

2718. Do you think it desirable that Parliament should take them from the people who have them now, and give them to other people who have not got them now?
I think it is desirable that Parliament should deal with them in the interests of the nation.

2719. And to the injury of the interests of the present holders?
If that necessarily follows from Parliamentary action.

2720. But what I wished to ascertain was, whether this process of transference or confiscation or expropriation, or whatever name you may give to it, ought to be applied to endowments of all kinds that are not of recent date, or only to those which have a religious purpose?
No; the application would be to those connected with the colleges where religious tests are now applied.

2721. But do you think that the mere fact of an endowment being connected with a college takes away from it that character of sacredness which would attach to other endowments which were not connected with a college?
I should regard its specific character in its application.

2722. But supposing you found an endowment for the purpose of sustaining a particular religion that was not connected with a college, would you allow that to survive for a longer period than you would an endowment that was connected with a college?
I am not aware that there would be any reason why Parliament should not deal with the one as with the other.

2723. In fact there is no objection to Parliament generally transferring to any person it thinks fit, the enjoyment of all endowments of a religious character if they are not very recent?
I conceive that to be so in the national interests. The proposal is not to take away from one person to give to another, but to open the benefit to all.

2724. Do you not think that, for the warning of future testators, it would be desirable that Parliament should lay that principle down to prevent people throwing their money away?
I think the action of Parliament might probably lead to that result.

2725. But you do not think that any more sacredness ought to attach to Nonconformist endowments than attaches to endowments connected with the Church of England?
No, I think not.

2726. Parliament would have an equal right to dispose of them to whom, or for whom, it thought fit?
Quite so.

2727. I think, in speaking of tests, you made a special exception in favour of seminaries for the instruction of candidates for the ministry?
Yes.

2728. Should you not allow that exception to extend in any case to places where laymen were admitted, even though the main character of the institution was that of a seminary?
I am not aware of any case where laymen are admitted. They are students in the college, but they simply attend lectures, they do not reside.

2729. But if there were a case at a college where both candidates for the ministry and others were educated, would you not think it reasonable that the teachers should be specially selected with a view to their orthodoxy, on the ground of their having to teach candidates for the ministry?
I think it most desirable, indeed necessary, that they should be selected by the subscribing and governing body on account of their fitness for the work they have to do.

2730. Part of that fitness would be purity of theological doctrine, would it not?
No doubt it would in a theological college.

2731. That fitness would not be vitiated by the fact that some persons who were not intended for the ministry attended their lectures?
Not at all.

2732. Lord *Stanley of Alderley*.] Do you not think that the question of the specific purpose and date, as applicable to bequests, is rather one for the law officers or courts of law, than for a representative assembly?
I think not; I think it is a question for Parliament.

2733. Are you not aware that the case decided by the Court of Chancery with regard to Lady Hewley's bequest is a standard case of justice in English law?
I am not sufficiently familiar with that case to speak about it.

2734. When that decision was given, it was always quoted as a credit to English law, was it not?
I am not aware of anything more than the fact of the decision.

2735. By Parliament, I suppose you mean a representative assembly?
I do.

2736. What is the reason for the inference that a representative assembly should have more right to dispose of property than the Sovereign, as in the case of Frederick the Great and the miller of Sans-Souci?
I have always considered that Parliament is supreme.

2737. Does that supremacy over-ride right and wrong?
I am not sure that I can say that Parliament can do no wrong.

2738. Do you ever read the "Tablet"?
No, never.

2739. The "Tablet" has been lately maintaining the position with reference to recent events in the English Church, which it is not necessary perhaps to particularise, that the Church of England is practically in communion with all Nonconformist bodies, except the Unitarians. Should you be disposed to admit the truth of that position. The Revision Committee, and what has been called the Westminster scandal, and other matters of that kind, were referred to?
I suppose a Unitarian would call himself a Christian.

2740. My question is, whether the Church of England is practically in communion with all other Nonconformist bodies, except the Unitarians?
I acknowledge

I acknowledge but one church myself, and that is the Church of Christ. In that sense there is communion among all true Christians.

2741. Then what is the hardship of the position in which Nonconformists find themselves placed in regard to the Church of England, with reference to the Universities?

That they are subject to disadvantages which a member of the Church of England is not subject to. My own son could not take a fellowship.

2742. Lord *Colchester.*] With reference to what was asked as to private benefactions, I wish to know whether you would agree with the opinion given by Mr. Samuel Morley with reference to the property of the Church of England. He was asked in a former Committee of this House, "With regard to another species of church property, namely, endowments for district churches, do you think them applicable to any other purpose than the support of the Established Church"? His answer was this: "I have the strongest impression that an endowment formed by private beneficence ought to be held sacred; money, for instance, put in trust by anyone for the purposes of the Church of England, I think should be held sacred for such purposes." Should you adopt that opinion, or would you modify it?

Where there is a specific trust, I should hold it as sacred.

2743. You would admit that that would apply to any college founded specially for Church of England purposes?

I should agree in the answer given to that question.

2744. Mr. Morley was further asked, "Does not your own church property, the property of the great dissenting body of England, depend upon the principle of the sacredness of such endowments?" his answer was "Clearly so"; should you admit that?

Whatever endowments we have depend upon that principle; they are very few among dissenting bodies.

2745. With reference to the phrase you have used several times, of a "national University," can you explain to the Committee exactly what view you take of the title of the nation, on the one hand, to the University, and, on the other hand, to the separate colleges?

I have always regarded the Universities as claiming to be national institutions.

2746. What sense do you put upon the words "national institution"; do you mean an institution founded by the nation, or an institution which has absorbed the nation into itself?

I mean an institution claiming to be freely open to all classes of the community.

2747. That is assuming the whole question, is it not; I mean that the University does not claim to be open to all classes of the community unless this Bill passes?

It is open with certain tests.

2748. It is open, except with certain restrictions?

Yes.

2749. Do you consider, then, the colleges to belong to the nation as a whole, or separately; I mean, do you consider that the whole nation has a right to all the colleges, or that each member of the nation has a right to share in every single college?

I think that Parliament is entitled to deal with the colleges in the interests of the nation.

2750. I asked upon what ground; upon the ground of national endowment, or on what ground do you consider the colleges to be the property of the nation more than any other existing institutions?

The Universities are not available to the community at large, except through the colleges, to any extent.

2751. Except through membership of the colleges?

Yes.

C. Reed, Esq., M.P.

17th March 1871.

2752. You do not mean through the endowments or offices of the colleges? Yes.

2753. Are you aware that no man need hold any college office, or share in the college endowments, in order to hold any office in the University, special cases apart?
Yes, I suppose so.

2754. Do you not consider that, supposing the University to be a national institution, as a national institution it should reflect, to a certain degree, the wishes of different portions of the community?
It should reflect the wish of the community.

2755. You would consider that a large number of parents are favourable to an undenominational system of education, and that a large number of parents also are favourable to a system of denominational education, should you not?
Yes.

2756. Supposing some arrangement was arrived at by which the University was partly denominational and partly undenominational, would it not be more truly national than if absolute ascendancy was given to either principle?
I think it would reflect the wish of the nation if it were free, with religious influence, rather than partly closed by religious tests.

2757. You consider the nation as a unit in the matter?
I think we must.

2758. Supposing that the small number of post-Reformation colleges remained as they are at present, would not each of the parties into which the nation is divided, the denominational and the undenominational parties, find its wishes gratified, and certainly not in a manner too unfavourable to the denominational party, in proportion to the relative numbers of the two parties?
I do not think you could act upon that arrangement.

2759. What is the difficulty which you see?
Your Lordship suggested that all parties should be represented, as the nation is divided into denominations now.

2760. I say, would not the various wishes of the country be very fairly represented, if a portion of the University was denominational and a portion undenominational?
I think not.

2761. Those who wished for an undenominational system would have their colleges open without tests, and those who wished for a denominational system would have tests at their colleges, would they not?
I think a national University ought to be free of all denominationalism.

2762. You think a national University should represent an absolute ascendancy obtained by one party, if that be the more numerous party?
No; I think fairness requires that the University should be freely opened to all.

2763. Would it not, as a University, be freely opened to all under the system I have just proposed?
I think the abolition of tests would make it so.

2764. Should you say that the University was not freely opened to all, if any one could find admittance to some college or other?
The presence of tests prevents that admission.

2765. You mean to the particular colleges as they exist?
To all the colleges under the existing system.

2766. I ask whether the modification of the system which I have mentioned would not be in some ways a fuller representation of the feelings of a divided nation than any uniform system?
It might be, but I do not think it would be satisfactory to the people generally, and certainly not to the Nonconformists.

2767. You think that nothing but the absolute ascendancy of their undenominational principle would be satisfactory to them, and that they would be unwilling to divide the Universities as I have suggested?

I do.

I do. I think nothing but the absolute abolition of all religious tests will satisfy the bulk of the people.

2768. And therefore they would object as strongly to the post-Reformation colleges remaining denominational as they do to the present system?
I find that feeling spreading very much amongst the working class, who are coming now to a knowledge of the advantages of education.

2769. Do you think that class is well informed as to the dates of the different endowments?
They are becoming much more familiar with them than they were.

2770. Do you think that they are largely aware that many endowments are of post-Reformation date?
I could not say they are largely aware of it. I think they are uninstructed in many points, but they take a deep interest in this question.

2771. Do you think they have more than vague general impressions derived from ephemeral literature about the constitution of the Universities?
No, I do not think I ought to say that they have; but their children are already looking forward to the advantages of a University education.

2772. Would not a great many of them at present have great difficulty in obtaining a University education if we were entirely to abolish tests?
No doubt the expense would be a great difficulty, but many of the working men are wishing and endeavouring to get their sons, by means of scholarships, up to the University.

2773. You do not think that their difficulty or their wishes would be met as long as a single denominational college remained in the University?
I think they would object to anything in the shape of religious tests.

2774. Then you would only make an exception in the case of foundations within the last few years?
I should say, foundations of a recent date and of a specific character.

2775. Earl of *Carnarvon*.] You cannot give us any better definition of "recent date" than you have given?
No, I am not able to do so.

2776. You would count 10 years a recent date, I suppose?
Yes, I suppose that must be considered a recent date.

2777. Would you consider 20 to be a recent date?
I think the noble Lords will form their own opinion as well as I could upon that point. I think it is a mere matter of opinion. I cannot draw the line.

2778. Our object is to be satisfied with your opinion, because on this depends of course a good deal of the evidence which we have had the pleasure of hearing from you to-day. Should I understand, therefore, that whilst you would admit 10 years to be "a recent date," you would not admit 20 years to be so?
No; I think the specific character of the gift would govern the decision much more than the date; but I think a specific gift within the date your Lordship mentions should be regarded as sacred.

2779. Within 20 years?
Yes.

2780. Would you carry it back another 10 years, and say 30?
I would rather not attempt to draw a line.

2781. But by recently, do you mean absolutely within this century?
I would rather not fix any date; I have not considered the question in that light.

2782. But you have considered that a great deal turns upon that question, surely?
Much more turns upon the specific character of the provision.

2783. If the character of the provision was essentially particular and specific, would you hold that that removed the date some 20 or 30 years further back?
I think the date makes a great difference in view of Parliamentary action.

C. Reed, Esq., M.P.
17th March 1871.

2784. Provided that the intention of the founder was very clearly marked?
I think it would govern Parliamentary action very fairly.

2785. But you would not be prepared to go beyond this century in your definition of modern times?
I would rather not draw a line myself. It is a most difficult thing to do.

2786. Lord *Hartismere.*] I daresay you are aware that at Trinity College, Cambridge, undergraduates are allowed to withdraw from attendance at chapel?
Does your Lordship mean on Sundays?

2787. At all times?
I believe, on request, they are.

2788. I suppose you object to this system of withdrawing, on the principle that it rather, as it were, tickets those who do withdraw from attending the chapel?
It might no doubt have that effect; but as far as Nonconformists are concerned, (I am speaking as a Nonconformist) the Nonconformists value these services, but they object to being required to attend. Very few ask for liberty of absence, I think.

2789. If some more easy mode of withdrawing from compulsory attendance at chapel were established, that is to say, that this ticketing was done away with, would you object to compulsory attendance?
I should object to any compulsory attendance upon a religious service; my objection is that it is compulsory.

The Witness withdrew.

The Reverend WILLIAM HENRY BATESON, D.D., is called in; and Examined, as follows:

Rev. *W. H. Bateson*, D.D.

2790. Lord *Houghton.*] You are the Master of St. John's College, Cambridge?
Yes.

2791. How long have you held that post?
Since 1857.

2792. Before that were you a fellow of the college?
Yes.

2793. How many years have you resided at the University?
Since 1831.

2794. Can you state to the Committee the number of fellows in your college?
Fifty-six.

2795. Do they hold their fellowships under different conditions?
No, all the same; there used to be a difference, but at the time of the University Commission they were all put upon the same footing.

2796. What declaration does a fellow make?
He may be said to make three religious declarations; one under the Act of Uniformity, that he will conform to the Liturgy of the Church of England; another, that he is a *bonâ fide* member of the Church of England, that is by a statute of the college; and the third, what we call the Protestant declaration, the declaration of the time of Queen Elizabeth and Edward the Sixth.

2797. *Chairman.*] What is the effect of that last declaration?
I believe it was left by the Commission as a harmless thing, except with a view of excluding Roman Catholics, but it has had an effect very different from what was intended, inasmuch as there occurs this expression in it: "*Scripturæ auctoritatem hominum judiciis præpositurum.*" There is the same declaration required at Trinity as at St. John's, and in both colleges I know of cases in which that test has created a difficulty which, I am perfectly certain, was not contemplated by those who left it in operation at the time of the revision of the statutes.

Rev. *W. H. Bateson*, D.D.

17th March 1871.

2798. Lord *Houghton.*] Has this conduct on the part of those fellows been considered by some as over-scrupulous?

It may be so; but of that I cannot speak with confidence.

2799. But that circumstance shows that there is in the minds of good men no wish to evade what they consider a serious test, but rather a readiness to make conscientious sacrifices on the matter?

So far as I know, in Cambridge the existence of the test has rather operated to prevent persons taking fellowships, and to induce them to give them up after they have taken them, in consequence of their views altering and disagreeing with those particular tests. I have not heard of any instance of a man taking a fellowship upon whom there was the slightest imputation as regards his evading the strict efficacy of the test.

2800. In your own college have you had instances in which persons have attained such University honours as might have entitled them to a fellowship, but who have been prevented from occupying that post by the tests which are now imposed?

Yes, there have been instances of it.

2801. Would you have any objection to state to the Committee your opinion as to the advisability of a change of the present law?

I see little advantage in the tests; I do not speak of it as a question of strict right, but I think, as a matter of expediency and propriety, it would be advisable to do away with all the tests.

2802. Might I ask whether you have come to that conclusion from later experience, or whether you have always held that opinion; you need not answer the question unless you like?

For some time I was in hopes that we might have adhered to the arrangement that was made at the time of the Executive Commission; but there has been so much discussion of these questions, and so much difficulty has arisen which could not be foreseen, that I have come strongly to the opinion that it is desirable to remove all the tests. At one time I did join in a petition to Parliament to retain the arrangement made by the Executive Commission, but what has happened since in the University, and in the country, has led me strongly to think that it is advisable to do away with the tests.

2803. Have you at all thought what consequences might follow from the withdrawal of them?

The immediate consequences, I think, would not be considerable; I think we might go on for some time with very little change indeed; the ultimate consequences I dare say might be considerable; of course it is difficult to foresee the result, but I think it is not at all unlikely that some of the colleges might become denominational, and I should see no evil in that.

2804. First, as it affects the larger colleges, such as your own, do you think that the repeal of tests would act in the direction of increasing religious controversy?

I think not; I think it might allay many controversies which have been going on.

2805. Do you think that the repeal of the tests would diminish the general religious influences of college life?

No, I think not.

2806. Then, as regards the smaller colleges, do you believe that the effect would tell there more than on the larger ones?

There is a greater probability that it would, in consequence of their smaller numbers of fellows.

2807. Do you imagine that, within any limit of time which we can contemplate, any college would undergo such a change as to entirely lose its religious character, and become a secular body?

No, I do not apprehend that.

2808. If such a consequence did follow, would it not rather be a consequence of a general charge of public opinion, which it would be in vain to resist, than a

Rev. *W. H. Bateson*, D.D.

17th March 1871.

consequence of the abrogation of such tests as are now proposed to be done away with?

I think that the Universities, judging from my own experience in Cambridge, will always be very sensitive to the general opinions prevalent in the country. There has been a strong desire, a desire which some persons perhaps might consider almost exaggerated, to increase the number of students in every college. There is a great competition, almost an unreasonable competition, as many persons would think, on the part of the colleges, to vie with one another in an increase of numbers; and that shows a sensitiveness to public opinion, because their numbers will always depend upon what the sentiments of parents and guardians may be as regards sending young men to a particular college. Consequently I think that the governing bodies of colleges will never, to any appreciable extent, reject considerations of that character.

2809. Earl *Stanhope*.] Among the Nonconformist members whom you have in your college, do you find any unwillingness to attend the services in the college chapel?

It is only quite recently that any different rule has been observed with regard to them, and therefore I could not speak of anything which has existed for any length of time. Up to quite recently we never made any distinction between a person who believed in the doctrines of the Church of England and one who did not.

2810. What is the different rule to which you refer?

I think now, particularly after the declaration of this Bill, we should attend to any wish that was expressed by any person to be exempted from attending chapel on the ground of religious scruples.

2811. If he expressed his wish not to attend in consequence of religious scruples, you would at once comply with his application?

I think so.

2812. Up to this time, have Nonconformists generally attended the college chapel?

Uniformly. There has been no difference of rule at all.

2813. In the event of tests being generally abrogated, have any special safeguards for religious teaching occurred to you?

I think that the declaration that we have in the statutes of the colleges generally as to election would be a valuable one. I do not anticipate that that will be altered by the passing of the Bill.

2814. Would you have the goodness to explain that a little more fully?

The electors make a declaration that they will elect, to the best of their judgment, the person most fitted to become a member of the college, as a place of religion, learning, and education; those are the words, I think. I believe that declaration would always have a certain influence over the elections.

2815. But that would admit persons of any form of faith?

Yes; I see by the published Report of your Lordships' Committee of last Session, that Professor Rolleston thinks that that declaration would be affected by the general scope of the Bill. That would not be my view, as far as I understand it.

2816. Might there not be this danger, that although no Nonconformist body might obtain a majority, yet there might be several Nonconformist bodies among the fellows, and they might collectively show an indisposition to the teaching and the services of the Church of England?

Yes, it might be so; but the Nonconformists, in the narrow sense of the word, rather like the services in the chapels than otherwise. Your Lordship will observe that I am using the word "Nonconformist" in its narrow sense.

2817. You are aware that the Act of Uniformity, though it prohibits any other services in the college chapels besides the services of the Church of England, does not absolutely prescribe or enjoin those services?

Yes.

2818. Should you see any objection to a legislative provision that those services should always be performed according to the rites of the Church of England?

I should

Rev. *W. H. Bateson*, D.D.

17th March 1871.

I should think that would be an advantage; to say the truth, that is the principal amendment that I should like to see made in the Bill. I took an active part in representing to Mr. Gladstone the wish of those who are opposed to tests in the University of Cambridge, and our application was limited to such a repeal only of the Act of Uniformity as would leave that clause to which your Lordship refers in existence.

2819. But the question goes a little further; the clause in the Act of Uniformity prohibits any services except those of the Church of England; should you see any objection to a legislative provision not only prohibiting any other service, but enacting that the service should take place in conformity with the rites of the Church of England?

None whatever; I should prefer that question to be settled by Act of Parliament rather than left to rest upon the statutes of the colleges.

2820. You say that as a decided advocate of the abolition of these tests?

Yes; and I know that that is an opinion which is common among the friends of the Bill.

2821. We may therefore conclude that, as far as your opinion goes, if there were such a provision introduced into any Act of Parliament, it would not be unfavourably received, but the reverse?

It would be favourably received by a great many whom I can speak for; I cannot speak for all.

2822. Who is the visitor of your college?

The Bishop of Ely.

2823. Are the cases of his interference frequent?

They used to be very frequent with regard to what were called the appropriated foundations, but I hardly know of more than one instance in which he has interfered upon a general question.

2824. Is the Bishop of Ely the visitor in right of his episcopate, or has he been specially elected visitor?

He was specially appointed by the foundress of the college.

2825. Therefore your visitor is always the Bishop of Ely for the time being?

Yes.

2826. Has he cognizance of the affairs of the college by periodical reports, or does he only receive a knowledge of them when he is appealed to?

Only in special cases of appeal. General visitations were directed in the original statute appointing the visitor, but they have not taken place for a great number of years.

2827. Supposing the master and fellows of your college, or the majority of them, had a disposition to alter the statutes, could they do so without the authority and sanction of the visitor?

Yes, they could; there is a special provision for that in the statutes themselves.

2828. Then what is the power of the visitor?

The power of the visitor embraces the interpretation of doubts, the settlement of disputes, and the enforcement of a proper observance of the statutes.

2829. But he has no veto upon what the majority do?

No; nor has he any power to regulate anything beyond what is in the statutes themselves.

2830. You could not, however, I apprehend, make any alteration in your statutes without a reference to the Queen in Council?

No; nor without a meeting specially convened, and with a special majority.

2831. Have you had any change since the University Commission, in the statutes of your college?

None.

2832. As far as you know, is any contemplated?

Not at present.

Rev. *W. H. Bateson*, D.D.

17th March 1871.

2833. Reverting to a former point, did I rightly understand you to say that attendance at chapel in your college is voluntary, and not compulsory?
No, it is not voluntary, it is compulsory within certain limits. That is to say, a certain number of attendances are expected.

2834. That is compulsory unless religious scruples are pleaded?
We have never dealt with that particular case yet, but we contemplate its being dealt with if this Bill passes.

2835. In the event of those religious scruples being pleaded, would it be the intention of the college to see that the person so pleading them should attend another place of worship according to his own persuasion, so as to guard against the danger of those scruples being merely pleaded from indolence and as a pretext?
That would be my view. The government of our college rests with the master and seniors; no particular rule has been made yet, but I should contemplate what I believe has been the practice at Christ's College, where it is ascertained on a young man's coming to the college whether he belongs to a different denomination from the Church of England or not, and in that case the tutor enters into some arrangement that he should attend the services of the denomination to which he belongs.

2836. If some such arrangements were made, you do not apprehend any injurious effects from the removal of tests at Cambridge?
No, I do not.

2837. Has there been much feeling excited on behalf of such gentlemen as Mr. Hartog, who appeared before us, who have been debarred from standing for fellowships on account of the tests?
There has been a great deal said about it; not merely with regard to the case of Mr. Hartog, but we have had other senior wranglers in a similar position; some gentlemen from Scotland and one or two others, of whom Mr. Aldis was one, have been excluded from taking fellowships by the tests.

2838. And that has increased?
This has rather excited attention.

2839. Lord *Lyveden.*] You stated, I think, that you thought the Nonconformists did not object to, or perhaps approve of, the service of the Church of England being retained?
Yes.

2840. Under Nonconformists do you include Roman Catholics and Jews?
No; I believe I said that I used the word Nonconformist "in the narrow sense." I did not include them.

2841. The Roman Catholics, of course, would object to it?
No doubt they would. I think there has been an indisposition on the part of Roman Catholics to come to the University at all.

2842. Do you permit them to absent themselves from chapel at St. John's?
No, we have never made a different rule. We had a Roman Catholic not long ago, who was allowed by his friends to attend the chapel. It appeared to me that they allowed it rather as a rule of discipline than as a rule of religious life.

2843. Then if he did not attend the service would he be subject to a punishment; would he be compelled to attend?
Yes, no difficulty was made about it.

2844. His attendance at any place of religious service of his own persuasion would not justify his absenting himself from your service?
No, that was the rule which was then prevalent.

2845. Does that apply also to Jews?
Yes; we have never had an instance of a Jew for the last 30 years.

2846. You have not had a Jew in your college?
No.

2847. In what college was the Jew of whom the noble Earl just spoke?
At Trinity College.

2848. You do not know perhaps what happened with regard to his attendance at chapel?
I do not know in his case, but I know in the case of another Jew that he was excused on his application.

2849. On his application accompanied by an explanation that he was of the Jewish persuasion?
Yes.

2850. Has the desire to abolish tests increased in the University of late years to your knowledge?
Yes.

2851. Very much?
Very, decidedly.

2852. How is it, as far as you know, amongst other people not belonging to the University; for instance, the parents of undergraduates coming up to your college, have they objected to the tests?
I have not heard of it. I could not speak upon that point at all, but I should think they must be affected by the general current of opinion.

2853. Your experience on that point is not large?
No, I could not speak with advantage upon that point.

2854. But in the University you think that the feeling against tests has increased?
Yes; I took an active part last December twelve months upon the subject, and we prepared a memorial to Mr. Gladstone, that was signed by one more than the half of the managing tutors of the whole of the colleges; there was just a majority.

2855. Was it signed mostly by young men, or by mature men?
The managing tutors are the most mature men that we have to do with. In my own college and in Trinity College a very large majority of the lecturers, that is, the assistant tutors, were in favour of it. There were two other memorials presented in the contrary sense; one belonging to what might be called the irreconcilable party, who would not have any change at all; that was signed by something short of 50, I think; and another, which was signed by the medium party, who were willing to have some change, or indicated a willingness to have a change, provided there were certain safeguards. When we came to put these three sets of names together, we found that our set came to about 112 or 114, I think, and the others to about 119. I think there was a difference of only five or six between them. That would indicate the state of feeling better than any description I can give.

2856. Which was your party?
I belonged to those who were for removing the tests.

2857. For having the Bill as it is?
The question was not as to this particular Bill, but as to one very nearly like it.

2858. You have seen the Bill as it is before their Lordships?
Yes.

2859. Does it satisfy you, as taking the proper steps for the object, or would your view go beyond it or fall within it?
I would do nothing with regard to this Bill, except introduce a clause to maintain the chapel services as they are.

2860. Duke of *Somerset.*] Would you go further, and admit to all fellowships?
A provision for that purpose is in the Bill, I think.

2861. Lord *Lyveden.*] The Bill does not touch fellowships limited to persons in Holy Orders?
That question does not apply in reality to admitting to fellowships. The rule of ordination is a rule which applies usually some years later than admission.

Rev. *W. H. Bateson*, D.D.

17th March 1871.

2862. Duke of *Somerset.*] With regard to the teachers of Divinity, would you take any security from them?

I do not think it is requisite to do so. I think no change is required there; it depends really upon the body of electors, I think, rather than upon anything else.

2863. You do not think that it is necessary to establish any safeguards with respect to them?

I should say not.

2864. Earl *Beauchamp.*] I wish to ask you a question with regard to the governing body of St. John's; how is the governing body composed?

The master and the eight senior fellows who have resided the major part of he last term constitute the governing body.

2865. Are these senior fellows necessarily or probably in Holy Orders?

A relaxation with regard to Holy Orders was introduced by the changes made at the time of the Executive Commission, and now we may have laymen, provided that they have held certain offices, or are holding certain offices; consequently there may in a short time be a few laymen amongst our seniors.

2866. Would you mention the offices, the holding of which qualifies, as an alternative with Holy Orders, for the position of seniority?

It is stated at the end of the Report of your Lordship's Committee. I made a return upon the subject last year. It is rather a complicated story; but if the Report were here, I could give it you. They are lecturers, the tutors, and the senior bursar; we have 17 or 18 lecturers; and if a man were holding an office in the University that also would suffice.

2867. But still the larger proportion of the governing body of St. John's would be clerical even if the Bill passed?

Yes; it must be clerical for some time to come.

2868. In all probability it would continue to be clerical?

I should think the majority would.

2869. Lord *Colchester.*] If I understand you rightly, you are not in favour of anything further than what is included in this Bill?

I do not advocate anything further.

2870. And you would not wish to see the clerical fellowships done away with?

I do not advocate it.

2871. Supposing they were done away with, the Church would lose whatever advantage she derives from being assured of a certain number of fellows being members of the Church of England.

I think a change will come with regard to that; but I do not advocate it.

2872. Therefore you do not look upon this at all as a final measure; you think that a further agitation will necessarily arise as to other points?

Not necessarily, I think; but we are promised, I believe, an investigation upon that special point.

2873. Therefore there would be no hope that the passing of this measure would remove whatever inconveniences result from agitations on religious questions?

So far as the point of clerical fellowships is concerned. I do think there will be agitation about that.

2874. Are the endowments of your college pretty much of one date, or of different dates?

Of all sorts of dates.

2875. Have you many decidedly post-Reformation endowments?

Yes, we have, and I might say that the Act of Parliament that was passed for the alteration of the University of Cambridge made no distinction with regard to recent foundations; there was no limit of time prescribed.

2876. That was, I suppose, with reference to local and scholastic restrictions merely, was it not?

I think entire freedom was left to the college with the Commissioners, or to the Commissioners with the college, to make almost any change they pleased.

2877. Do you not see any difference in principle between the two classes of endowments in a question of this sort?
I think it is question of expediency entirely.

2878. You do not consider that there is any question of property in the matter?
No, I do not regard it as a question of property.

2879. Do you consider college endowments as belonging to the nation or as belonging to the college?
I consider them as belonging to the college, but subject to Parliamentary revision.

2880. Do you think it advisable that Parliament should deal with private endowments founded after the existence of religious divisions in the country in the same way as it would with any decidedly public property?
I should not be jealous of any interference of Parliament; I think Parliamentary interference is not to be deprecated.

2881. You think the more the Universities are brought under the control of the Legislature the better.
I should not wish for any limit to be prescribed.

2882. You think that a system by which the State prescribes a uniform rule in matters of education is preferable to one by which the wishes of individual founders create a varied system?
I should not recommend a State method of education. I should not recommend an interference with individual selection.

2883. To what class of cases do you refer?
I presume your Lordship refers to some course of study or particular method of instruction.

2884. You would be sorry to see Parliament interfere with methods of instruction, but you would wish it entirely to regulate the whole application of money once given for any endowment?
I do not think this question of tests at all turns upon the terms of particular endowments.

2885. Do you object to denominational endowments retaining their denominational character?
These tests are entirely the creation of Parliament; they are not the creation at all of endowments.

2886. I am speaking of the colleges; have not the founders often expressed their desire that the colleges should be in connection with the Church?
Not that I am aware of. The post-Reformation colleges at Cambridge are three, Sidney, Emmanuel, and Downing. There is nothing in Sidney College, that I am aware of, which at all separates it from the rest of the colleges in regard to the terms of the endowment. As regards Emmanuel College there was a strong wish, and I have no doubt it was the guiding wish of the founder that it should be a Puritan foundation. It has ceased to be that entirely for very many years, and has been perhaps as little Puritan as any college in either University.

2887. But the founder, probably, would have been unwilling to see Roman Catholics in the governing body.
Yes, no doubt he would.

2888. Then may I understand your view to be that you wish Parliament to remove every test that Parliament had imposed, but you think that if any other restrictions exist, they might be more tenderly dealt with?
Yes, there would of course be a difference if you found a test, or something like a test, in a deed of endowment.

2889. *Chairman.*] Have you any modern endowments at St. John's?
Yes, we have several.

2890. Were they founded, do you imagine, with any reference to the fact that the college was then a place of Church of England education?

Rev. *W. H. Bateson*, D.D.

17th March 1871.

There is nothing specifically referring to that. The modern endowments are mostly gifts of former members of the college; therefore so far as they come from former members, you might infer that they would have reference to what the college was in their own time.

2891. I suppose it would be a departure from the intentions with which they made the foundation if the college were to become very hostile to the Church of England in point of religious belief?

That might be an inference, no doubt.

2892. Should you be willing to see any exception made, in the case of modern endowments, in the operation of the Bill?

I should see no advantage in making any limitation of time. We had no limitation in the Cambridge University Act, which was of a very similar nature, and under which modern endowments were very freely dealt with.

2893. Is it your view that endowments once given to a college are at the discretion of Parliament to deal with as it likes?

I should say so.

2894. Do you think it is desirable that such a doctrine should be solemnly recorded for the warning of all future testators?

I have no fear of frightening testators; what would alarm one class would encourage another.

2895. Do you mean that they are incapable of being frightened, or that you would rather that they were frightened?

I think they are incapable of being frightened.

2896. You think that, whatever Parliament might do, they would still leave their money for Parliament to deal with?

Yes, I think so.

2897. Have you had any cases in your own college of persons being unable to obtain fellowships by reason of their religious opinions.

Yes, there have been two that I know of, and one was rather a remarkable case. It was the case of a man who had dissenting connections, but from the time he came to the college he was one of the most studious men. He distinguished himself very much eventually; and he always was a communicant, like a member of the Church of England, and notwithstanding he could not take the test.

2898. Do you know to what part of it he objected?

No, I do not.

2899. You referred to some effect which had not been anticipated, which resulted from the Protestant tests which you mentioned at the beginning of your examination?

Yes.

2900. What was that effect?

It was a question of the inspiration of Scripture; as to how far human reason may deal with the words of the Bible.

2901. You think that any test which affirmed the inspiration of Scripture would be liable to grate against scruples of that character?

I feel satisfied that it would. With regard to a large class of persons who are now studying natural history, for instance, I think if you were to put the Bible as an authority which they must not impugn, it would violate all their notions of propriety.

2902. They would hold that any general affirmation of the inspiration of the Holy Scriptures bound them to particular forms of expression with reference to natural science.

Yes; I think the whole cosmogony of the Old Testament is in their minds of no authority.

2903. Do you think that in that distant future to which you referred, the large or the small colleges would become denominational?

The small would be more likely to become so than the large, I think.

Rev. *W. H. Bateson*, D.D.

17th March 1871.

2904. Do you not think that the large colleges would probably become indifferentist?
I see no reason to apprehend special danger in their case. I should think they would share the common lot, following the general course of events in the country at large.

2905. Do you not think that the presence, before the eyes of young men, of sharply conflicting religious belief in those who are appointed to take care of them, has a tendency to make them reckless about all religious belief?
I am not at all satisfied that it does; I am rather inclined to think that it might have another influence, namely, that of sharpening their views of truth and strictness of conduct.

2906. Then you think it wholesome for a young mind to be introduced to controversy?
Yes, I do.

2907. Do you not think that considerable indifference among the young men of the Universities followed the sharp controversies of about 20 years ago, upon the subjects which were then at issue?
We have not experienced it at Cambridge; I do not know how it may be elsewhere.

2908. Lord *Houghton*.] Has there been in Cambridge, of late years, an encouragement given to an increase of metaphysical study?
There has, by prizes. Our moral science tripos examination too is in a very active condition.

2909. I know, in my time, the study was almost entirely confined to Butler and Paley. It has now taken somewhat larger proportions, has it not?
It has assumed considerably larger proportions. The moral science tripos is a very active institution.

2910. Has the general tendency of that been, do you think, to disturb or to corroborate religious opinion?
I have not heard of any disturbance arising from that cause.

2911. You are not aware of any serious dangers to the mental constitutions of the students, which have arisen from these studies, as pursued at Cambridge?
I know several of the persons who take an active interest in these studies, and they are men of as religious lives as any that I know. There has certainly been no tendency to scepticism promoted by any such studies.

2912. May not the prominent study of mathematics have acted in some degree as a balance against the uncertainty of metaphysical science?
That has been a prevailing opinion in Cambridge.

The Witness is directed to withdraw.

The Reverend EDWARD ATKINSON, D.D., is called in; and Examined, as follows:

Rev. *E. Atkinson*, D.D.

2913. *Chairman*.] You are the Master of Clare College?
Yes, I am.

2914 You were Vice Chancellor, I think, of the University of Cambridge last year?
I was.

2915. What power does the University, or the Vice Chancellor, possess of restraining heterodox teaching on the part of the professors?
I do not know that the Vice Chancellor possesses any.

2916. You have never heard of such a power?
Not as regards the ordinary professors. As regards the Divinity professors, and

Rev. *E. Atkinson*, D.D. 17th March 1871.

and the Professors of Greek and Hebrew, the Vice Chancellor has the power of calling upon the professor to subscribe the articles whenever he shall see occasion to do so, or rather, I think, it is to subscribe the three articles of the 36th Canon. I have the statute in my pocket, but I forget, at the moment, the exact form of it. I know he has the power of calling upon the Divinity professors to subscribe some religious test, if he sees occasion, but with regard to other professors I do not know that he has any power.

2917. It would be under the Act of Uniformity, would it not?

No, it is under a special statute for these foundations. It may be under the Act of Uniformity also, but the particular power to which I refer is included in the special statutes of the foundations. Perhaps your Lordship would allow me to read the statute applicable to one case. With regard to the Hulsean professor, it is this: "It shall be competent to the Vice Chancellor, if at any time he shall see occasion to do so, to require the professor to subscribe to the three articles of the 36th Canon, in the form prescribed by the statutes of the University for candidates for degrees in Divinity; and if, after three requisitions, the professor shall refuse so to subscribe, his professorship shall become *ipso facto* void." That is a statute which was made by the Commissioners under the recent University Commission for Mr. Hulse's foundation, and a similar statute exists in other cases, I think.

2918. Is there a similar one with respect to the other Divinity professors?

There is with regard to the Lady Margaret's professor. The three Regius Professorships of Divinity, Hebrew, and Greek are governed by common statutes, and the statute in question is one of these. With regard to the Norrisian professor also, the same statute exists; it applies only to the four professors of Divinity, and to the Professors of Greek and Hebrew, who are *ex officio* canons of Ely.

2919. Do you understand that that statute would be affected by the present Bill?

I should think not.

2920. But with respect to the other professors, there is no restraining power whatever?

I do not know that there is any.

2921. With respect to the members of the Universities generally, is there any power of punishment for the expression of heterodox opinion?

I believe not. The only case in which I think there might be such a power would be with regard to preaching at St. Mary's before the University; there is a statute in that case which requires that the preacher shall not impugn the doctrines of the Church of England, and that being an offence against the statutes, might, I think, be investigated by the Vice Chancellor and the *Sex viri*.

2922. Is there any power in the Visitor of a college to restrain heterodox teaching on the part of tutors?

As far as I know there is not, but the Visitor's powers are large and undefined; the Visitor in my own college has the power generally to reform and put right anything that he shall find amiss in the college, and I think it would depend upon the Visitor's interpretation, perhaps, whether he would interfere in a case of heterodox teaching.

2923. Is there any appeal from such action on the part of the Visitor?

No, except the Visitor has exceeded his power; then there would be, no doubt, a *mandamus*; but if the Visitor has acted within the power which the statute gives him, there is no appeal.

2924. You are acquainted with the provisions of the Bill, are you not?

I am.

2925. What is your opinion with regard to its probable working in its present shape?

It appears to me that it will be most disastrous to the University and to the colleges in particular. It seems to me that it will in a great measure destroy, and render impossible, the very objects for which colleges were originally founded.

2926. What are those objects?

The cultivation of religion and the pursuit of learning combined.

2927. In what way will it affect the cultivation of religion and learning?

Perhaps I should add the practice of religion also. It seems to me that it will affect it in this way: gradually you will have fellows introduced (I think it must be so), who will be perfectly indifferent to religion, if not absolutely hostile to it. I think that as the Bill stands, it will lead first of all to controversies with regard to the maintenance of the service in the chapel, and I think that one may fear that it would lead to the discontinuance, in the first place, of service in the chapel, and then gradually in course of time (of course this would take time, I do not think it would occur immediately) you would have most of the fellows, and the Master probably, indifferent to all these things. I think the tone of indifference to religion must necessarily become prevalent in the colleges and with regard even to morality I hardly know how a tutor would be justified in appealing to undergraduates on many points of morality, if they declared themselves to be infidels or to disregard Christianity, or the Bible altogether. I hardly see how you would be able to influence them. Of course you might use arbitrary power, and compel or expel them, but I think that a very mischievous way of governing. I think that it is something like what is done in the military colleges, where you have no means of appealing to a sense of religion and to recognised principles not included in what is termed the code of honour.

2928. You think that now a tutor is justified in his conversation with an undergraduate in assuming that Christianity is true, which, under the altered conditions introduced by the Bill, he would not be justified in assuming?

I think so. The way in which religious influence is at present most beneficially exercised is, I think, not so much by any instruction which is given, as by the private conversations and intercourse of the younger fellows and the officers of the college with the undergraduates. It has been so in my college to a very great extent, and the benefit done to the undergraduates in that way has been extremely great.

2929. The introduction of a small number of fellows differing very widely in religious opinions from the others would have the effect, to a great extent, of banishing the subject of religion from the colleges, would it not?

To some extent it would. It is not Nonconformists that I should myself be afraid of, or persons zealous for religion in any form, but indifference and an absolute disbelief of Revelation.

2930. You think that the candidature of such persons is a serious danger?

I do.

2931. Do you think that persons of that kind of feeling are on the increase among the undergraduates?

I think the undergraduates come up with unformed minds, and that they depend very much upon the sort of influences among which they are thrown. I think perhaps now more than in former times we have undergraduates who do not come up with definite religious opinions and with good religious instruction. These young men are very much at the mercy of the society in which they are thrown, and the influences under which they are brought. At present I think those influences are generally exercised for good, but I fear that it would not be so if the state of things which I apprehend under this Bill should come to pass.

2932. If there was a state of vehement controversy concerning the fundamental doctrines of revealed religion, do you not think that it would generate, even amongst those undergraduates who did not accept any negative doctrine, a general indifference to the subject and to the sanctions of religion?

I do not think a state of controversy simply would, of itself, have that effect; a good deal would depend upon there being some one or more particular persons taking interest in the undergraduates to whom they might look up with respect as examples of a consistent religious life. Without that, I think such an effect might be produced; but simply from controversy I should not think they would be likely to grow indifferent. They must know, of course, that in the world at large, the doctrines of religion, even the most fundamental ones, are controverted.

2933. If any school of unbelievers contrived to effect a lodgment in a college,

Rev. *E. Atkinson*, D.D. 17th March 1871.

do you not think that their doctrines would have a certain amount of attraction for young men from their novelty and their boldness?
I think it must be so.

2934. And therefore they would have special facilities from the present character of college life, for proselytising?
I think so.

2935. What would be the feelings of parents, if it came to their knowledge that any one or more colleges of the University were seriously tainted in this fashion?
I think they would not send their children to Cambridge. In fact, I think if this Bill were to pass, it would be necessary to follow the example of Dublin, and to abolish the condition of necessary residence at Cambridge, and to allow persons to obtain degrees without actual residence in the University.

2936. You think that parents would insist upon that condition?
I think they would

2937. And that consequently the hold that the colleges have upon the nation, and their power of moulding the habits of young men, would be very much diminished?
That is quite my belief.

2938. Among all the alterations which have been suggested in this Bill, I suppose the one to which you attach most importance is that which affects the chapel service?
It is.

2939. And beyond that, what securities would you like to see introduced into the Bill?
I should like to see the Heads obliged to be members of the Church of England, both for the sake of the colleges and for the sake of the University. The connection as it appears to me of the University with religion depends very much upon the Vice Chancellor, who is now necessarily a Head of a college. With regard to University sermons and everything of that kind, the Vice Chancellor at present always attends, or has some deputy in attendance. I do not think there is anything in the statutes which obliges that to be so; still no sermon would be considered a University sermon unless the Vice Chancellor were there, and there would be the greatest possible tendency to have things done in a careless and improper way if it were not so.

2940. You think if a Jew was Vice Chancellor, it would not have a very beneficial effect?
Certainly not. And with regard to colleges in the same way, the Head of a college is frequently appealed to as the ultimate authority, and I hardly see how you could preserve a proper respect for attendance at the service in the college chapel if the Head of the college himself did not attend it.

2941. Then you would put the preservation of the restrictions in respect to the headships as of the next importance to the maintenance of the college chapel?
Yes.

2942. Are there any other alterations that you would suggest.
I hardly know within what limits one might venture to suggest alterations, as the principle of the Bill appears to have been affirmed. Originally, my idea was that it would have been desirable to limit the number of fellowships that were thrown open without any restriction of tests in every college. If that should be thought inconsistent with the Bill, I hardly know anything else that I could suggest, except that it would be important that there should be in every college at least one college tutor who is a churchman, who should be considered responsible for looking after the morals and the conduct of pupils placed under him, in the same way that tutors are at present.

2943. Referring to your suggestion that a certain number of college fellowships should be set aside and not thrown open, under what conditions would you establish that distinction?
I think that it would be something analogous to the clerical fellowships; just as

as you have certain fellowships to which only persons are admitted who either are in Holy Orders or intend to take Holy Orders; in the same way you might have certain fellowships to which persons should be admitted without being required to make any declaration of their religious opinion.

2944. What kind of proportion would you admit?
One-third would have been the proportion I should have proposed.

2945. One-third of the whole number of fellowships?
Yes.

2946. Do you mean that one-third should be under restriction, or that one-third should be thrown open?
Thrown open.

2947. Have you many clerical fellowships in your college?
One-third of the whole number are required to be in Holy Orders.

2948. Your view is that one-third of the fellows should be in Holy Orders, one-third lay, but members of the Church of England, and one-third thrown open?
It would be so in my own college.

2949. What test have you at your college?
A fellow is required by the college statutes to declare himself a member of the Church of England, after his election to a fellowship, and by the Act of Uniformity he is required to subscribe in the Vice Chancellor's book a declaration that he will conform to the Liturgy of the Church of England.

2950. Lord *Stanley of Alderley*.] It was lately stated at the London School Board, in the public discussions, that the Board was not Christian after the passing of this Bill in its present shape; would not a similar statement be possible with regard to the Universities?
I think it might be stated as regards the University, that it was not distinctively Christian as a corporation.

2951. On account of its prohibition of excluding anybody for not belonging to any particular church or denomination?
I think so; but it would be a question how far the statutes which still recognise the Church of England as the religion of the University might be thought to qualify this conclusion so long as they remained unrepealed.

2952. There are certain subjects which are not allowed to be discussed in the debates at the Union. Are those subjects prohibited by any University regulations, or by the rules of the Union Club itself?
They are only prohibited by the rules of the Union Club.

2952. Do you think that this Bill would cause any change in the subjects debated there?
It might be so; I may say with regard to the Union Club, that when subjects have been proposed for debate which have been thought objectionable, the Vice-Chancellor has in such cases sent for the president of the Union, and has remonstrated with him; I had to do it when I was Vice Chancellor, and there was a promise given that the subjects should be more formally considered by the Committee before they were sanctioned. I presume that the Vice Chancellor might continue to act in the same way, if he thought any subject proposed objectionable.

2954. Lord *Houghton*.] If I am right, I believe that on that occasion immediate deference was shown to the opinion of the Vice Chancellor, and a promise made that such subjects should not again be introduced?
Yes, it was so; and, as far as I know, there has been no ground of complaint since.

2955. Earl *Stanhope*.] What is the governing body of your college?
The master and the whole of the fellows are the governing body.

2956. How many fellows are there?
Eighteen.

2957. Who is the visitor?
The Chancellor of the University, assisted by two doctors of Divinity appointed

Rev. *E. Atkinson*, D.D.

17th March 1871.

by the Senate. In the absence of the Chancellor the Vice Chancellor is considered to exercise his visitorial power.

2958. Has that visitorial power in your time been ever or frequently exercised?
It was exercised three times while I was a fellow upon appeals from a portion of the fellows against acts of the late master; one of these related to the administration of the college property, the other two to questions as to the forfeiture of a fellowship, and the propriety of declaring it vacant; the master in one case having refused to do so, and in the other case having declared the fellowship vacant, against the opinion of several of the fellows, who appealed in both cases against the master's decision to the Visitor.

2959. It was not upon any question of doctrine?
It was rather of that character; it was the case of a fellow who was elected to a professorship in St. Andrew's University in Scotland, and had subscribed a declaration of religious belief which professors in that University were required to subscribe. The question was, whether by that declaration he did not forfeit his fellowship, by ceasing to be a member of the Church of England.

2960. Probably, then, this declaration was in a Presbyterian sense, and as such was held to be inconsistent with the doctrines of the Church of England?
It was so held by the late master, but not by the fellows who appealed against his decision. The Visitor restored the fellow to his fellowship though no determination was given upon that particular point; the Visitor and his assessors ruling only that the master had no authority to declare the fellowship vacant.

2961. But supposing there were a wish on the part of the governing body of your college to alter the statutes, would the Visitor's consent be requisite?
I do not think myself that it would be necessary; we have no special statute upon the subject; it would be governed by the general clause in the Cambridge University Act, which seems to give the College power to get the statutes altered, with the consent of the Queen in Council only; no mention is made of the Visitor.

2962. Then what are the Visitor's powers?
The Visitor has power at any time he pleases to come to the college and to make inquiry as to how things are carried on, and to reform anything that is amiss there. He has power to do that not only when appealed to by members of the college, but at any time and without any such appeal if he thinks fit.

2963. Still he has no power to interfere with any proposed change in the statutes?
As far as I know, he has not. I believe we should not think of asking his consent if we wished to alter one of the statutes.

2964. Has there been any change in the statutes since the University Commission?
Not in my own college.

2965. In the event of the removal of the tests, should you think it very desirable that there should be a provision that by Act of Parliament there should be a religious service according to the rites of the Church of England in the college chapels day by day?
Yes, I should think it most desirable; almost essential.

2966. Have you had Nonconforming members of your college?
We have had a few.

2967. Have you found any repugnance on their part to attend the college services?
Not to attend the week-day services. I may say that we have no general rule with regard to the exemption of any person from attendance at chapel; but in the case of two Nonconformist members who entered not very long ago, their parents, at the time of their entry, asked that they might be allowed to absent themselves from the Sunday services, and attend the chapels of their own denomination. The college agreed to give that permission. Both the gentlemen in question are well-conducted and estimable men. They are perfectly regular in their attendance at the week-day services.

2968. Supposing the objection had been urged not by the parents or guardians of these young men, but by the young men themselves, on the ground of religious scruples, would you equally have yielded to the objection?

Not

Not without difficulty. I think we should have convinced ourselves that it was a religious objection.

2969. If you had convinced yourselves that the objection was valid, for instance, if a young man had conformed to the Roman Catholic Church, should you equally have yielded?

I think we should not knowingly have admitted a young man who was a Roman Catholic, but if we had done so, of course it would be a question for the decision of a college meeting. We might request him to remove to some other college, or we might yield to his application; I do not think we should like to compel him to attend the services of the Church of England.

2970. Have you had, practically, any cases before this where the objection to attend on religious grounds was urged not by a parent or guardian but by the young man himself?

None.

2971. Therefore your answer is, of course, conjectural as to what the college might do in such a case?

It is only necessarily conjectural.

2972. Lord *Lyveden*.] Have the religious tests which you are so anxious to maintain hitherto, excluded the religious indifference of which you are so much afraid?

They have not. I may say, with reference to my own anxiety to maintain them, that in the present state of opinion in the country, I do not wish to retain them absolutely. I think if you had a portion of the fellowships in every college open to persons who were not bound to take religious tests, the tests would be more effectual than they are at present; there would be a sense of honour on the part of those who objected to them, which would prevent their taking them if they had the means of access to fellowships and emoluments without taking them.

2973. Then we are not to understand you as being decidedly opposed to the principle of the Bill which is now before the House of Lords?

Not in the present state of opinion in the country.

2974. Do you consider that the opinion of the country has been very much growing of late in a sense adverse to tests?

Yes, I do.

2975. And also in the University among the undergraduates?

I cannot well judge of this.

2976. When you stated that you considered that if there was no test to tell what religion a man was of, it would be difficult for a tutor to enforce doctrines of morality or to rebuke for immorality, is that opinion founded upon the notion that there is no foundation for morality without religion?

It is.

2977. You think that in consequence of the removal of religious tests, it would be impossible for any man to advise any young man to lead a moral life?

Not to advise any young man, because if you had a tutor who was known to be a churchman, or indeed a member of any religious body, parents who placed sons under his care would do so probably because they agreed with him generally in his religious views, and would of course state what they were themselves, and what their children were; but I speak with reference to young men whom I suppose to belong to no religion and profess no religion.

2978. I think you have not stated any particular alterations you would suggest in this Bill in order to modify what you conceive to be the irreligious tendency of it?

I stated that I should desire to see the maintenance of the Church of England service in the chapels, the maintenance of the tests as regards the Heads, and a requirement that in every college there should be some tutor who was a churchman.

2979. Do you consider the attendance in chapel as a part of religious education, or merely as religious observance?

Both; I think generally that it is a religious observance, and also that it is a part of a religious education.

Rev. *E. Atkinson*, D.D.

17th March 1871.

2982. Is it the habit in your college for tutors to comment or lecture upon the religious service the young men have attended?
As far as I know it is not.

2981. Then it is rather a college institution for discipline than for religious education?
In lecturing upon the Greek Testament, I think there is an opportunity always afforded for bringing in instruction, both with regard to the doctrines and the ritual of the Church of England.

2982. Are the pupils ever invited to offer their observations upon the religious services of the day to the tutors?
I think not.

2983. Earl of *Morley*.] You attach very great importance, as I understand, to these tests in preventing infidel teaching, and you also say that it would in many cases almost abolish the obligation of residence?
Yes; the entire abolition of tests would, in my opinion.

2984. Do you not think that the wishes of parents would have some effect upon the colleges, even if these tests were abolished?
No; I do not think they would have much effect.

2985. You think there would be no wish on the part of the tutors to keep up the number of undergraduates?
There would be the wish undoubtedly, but each tutor would only seek to give effect to it according to his own principles; the wish would not be strong enough to stifle these; and besides, each tutor could only answer for himself, not for other fellows. A fellow of a college is always, to a certain extent, independent, and he would not be precluded from professing his opinions, or inculcating his opinions by any motive of that kind.

2986. Do you not attach considerable importance to the number of clerical fellowships there are?
It is, as far as it goes, an important point.

2987. Would not that supply at least one or two tutors to every college at Cambridge?
It might do so if you could oblige the clerical fellows to reside, but there is no absolute obligation to reside, as far as I know. It varies in different colleges, but in my own college it is not practicable to compel them to reside.

2988. With regard to the present effect of tests, is not the feeling rather growing up in the University of looking upon the Church of England as opposing, if I may so, through these tests, the merit of undergraduates who deserve to attain high positions which are closed to them by these tests?
I have already said that I do not object to opening up a portion of the fellowships to persons who do not take the tests; I think that concession would quite obviate any feeling of the kind your Lordship refers to.

2989. You think there would be no feeling of the kind if a portion only of the fellowships was thrown open?
No doubt many persons would not be satisfied without an entire abolition of the tests, but I think the feeling would be, or at all events would have been some time ago, very much softened, or would perhaps have died away altogether, if such a concession had been made.

2990. Earl of *Carnarvon*.] Do you attach any weight to a declaration which I think Sir Roundell Palmer proposed in the House of Commons to make obligatory upon all professors; I do not know whether you remember the nature of the declaration?
I do remember it generally; I do not attach much weight to it; I can scarcely think that it would be effectual, and if it were effectual I think it might, in some respects, be mischievous.

2991. In what way would it be mischievous?
It would be considered that a professor had, as it were, his tongue tied, and was not at liberty to follow the truth wherever it led him. On the other hand, the way in which I would meet the difficulty would be by removing all obligation

tion to attend the lectures of any professor, and leaving it to the tutors to discourage attendance on lectures which were objectionable.

2992. You would leave all professors, whether Divinity professors or others, still subject to the same obligations as at present exist, would you not?

Divinity professors I would leave as at present; the other professors are merely subject to the obligation of declaring, when they are elected, that they will conform to the Liturgy of the Church of England; they are under no further obligation or restriction.

2993. Lord *Colchester*.] Do you consider it at all practicable, as a safeguard against the operation of this Bill, to make any distinction, founded upon the dates of the college endowments?

I think that that is a principle which Parliament might well consider; I think myself that the sense of injustice which seems to me natural when endowments of that sort are dealt with in violation of the wishes of the donors, must depend very much upon the date of the endowment, and the distinctness of the object for which the endowment was given.

2994. Do you not think that a distinction founded upon that difference might form a more definite and permanent principle than any other limitation of the object of the Bill, as being a principle more obviously intelligible perhaps to the public?

One great difficulty of doing full justice in this way seems to me to be this, that many of the founders who, if they had anticipated the possibility of any of their foundations being applied to any other purpose than one in connection with the Church of England, would have expressed themselves most strongly upon the subject, have really, never contemplating such a contingency, said nothing about it.

2995. But supposing the later colleges were exempted from the Bill with the endowments of late date in other colleges, which are very numerous, would not that rest upon a fair and definite principle, which, perhaps, would be admitted by those who would not admit anything else?

I should consider so myself, but I do not think it would be thought so by others. In my own college, I think, about half the endowments are since the commencement of the reign of Queen Elizabeth.

2996. Do you think it possible that there might be a wholesome and useful competition between the denominational and undenominational part of the University, and that that might afford a valuable stimulus?

I should very much prefer having denominational colleges to throwing open all colleges in the way the Bill proposes.

2997. And then, I suppose, as you said in the other case, the test would be more binding and real than it is at present?

Yes.

2998. With regard to clerical fellowships, which you admitted might be some security, have you not any fear that the passing of this Bill may be a step to their total abolition?

I have a serious fear of it.

2999. I suppose you think, when the principle of throwing the University open has been admitted, the clerical fellowships may be considered as condemned in many cases?

There has been strong feeling shown against them already. I quite think that the continuance of that restriction is very uncertain, even although sanctioned now.

3000. With regard to what you said as to the Union Club, was it usual to interfere with its discussions, except when it touched upon theological questions?

I think the question to which I referred was not a theological question; it was rather a question connected with the discipline of the University.

3001. I suppose theological subjects are excluded from the debates at the Union?

As far as I know, theological subjects are not introduced at the Union, but I speak with a very imperfect knowledge.

Rev. *E. Atkinson*, D.D. 17th March 1871.

3002. Have you any fear that if there ceased to be one authorised religion at the University, those subjects might be brought under discussion?
I think there would be a fear of that.

3003. *Chairman.*] Is there any other point you would desire to lay before the Committee?
I have nothing to add that is of very great importance. I should like, however, to mention one matter simply with regard to college chapels. Some of the chapels have been built quite recently, and I should think the larger number of them date from modern times. My own college chapel is only about 100 years old, and was built entirely from voluntary contributions; the whole fortune of one of our masters was left for the purpose; I think it would increase our feeling of hardship very much to have it applied to any other services than those of the Church of England. I may mention too that the whole of our present college buildings are subsequent to the reign of Charles I., and were erected principally from benefactions of members of the college and their friends.

3004. Have there been any colleges in Cambridge which have adopted the principle of a voluntary attendance at chapel?
I have not heard that there have been.

3005. Would your opinion be favourable to such a change?
It would not.

3006. You would think that that would have an injurious effect upon *discipline* and upon the attendance at the chapel?
I think there are many undergraduates who are really very glad to have a little compulsion exercised upon them. That was the case with myself. If no compulsion had been exercised upon me, I might have got into a way of neglecting chapel, but I feel very glad that there was that compulsion put upon me when I was an undergraduate, and I think that is the case with many. If it were left perfectly open to them as a voluntary matter, they would often neglect it, when they only require a little influence brought to bear upon them to induce them to attend regularly. Therefore, I should deprecate very strongly leaving the attendance at chapel perfectly open.

3007. Do you think that the feeling at the University is growing in favour of it?
I think many of the same persons who are in favour of the abolition of tests altogether would also wish to have the attendance at college chapel voluntary.

3008. Do you think that that feeling arises from the belief that the chapel would be equally well attended if the attendance were voluntary, or from an indifference to the subject of its attendance?
It would be very difficult for me to say. I scarcely can see how any person can think that the chapel would be so well attended, but I can conceive of persons thinking that attendance when compulsory was not desirable; that it was, in fact, perhaps not perfectly proper and reverential. I think that I have no right to attribute any other motives.

3009. You think the attendance at chapel would fall off very much if it were voluntary?
I have no doubt myself that it would.

3010. Is there any other point you wish to refer to?
I do not know that there is.

The Witness is directed to withdraw.

Adjourned to Tuesday next, at Twelve o'clock.

Die Martis, 21° Martii, 1871.

LORDS PRESENT:

Duke of SOMERSET.	Earl BEAUCHAMP.
Marquess of SALISBURY.	Lord COLCHESTER.
Earl COWPER.	Lord STANLEY OF ALDERLEY.
Earl STANHOPE.	Lord LYVEDEN.
Earl of CARNARVON,	Lord HOUGHTON.
Earl of HARROWBY.	Lord HARTISMERE.
Earl of MORLEY.	

THE MARQUESS OF SALISBURY IN THE CHAIR.

Mr. HENRY STRANGE HUME, is called in; and Examined, as follows:

Mr. *H. S. Hume.*
21st March 1871.

3011. *Chairman.*] HAVE you drawn up an analysis of the returns which have been laid before this Committee?
I have. This (*producing a Paper*) is taken from the returns printed in the Blue Book of last Session.

3012. It does not include the returns which have been laid before us since then?
No.

3013. Will you hand it in?
I will. (*The same is delivered in.* Vide *Appendix.*)

The Witness is directed to withdraw.

The Reverend BENJAMIN JOWETT, is called in; and Examined, as follows:

Rev. *B. Jowett.*

3014. Earl of *Morley.*] I THINK you have seen the Bill which is now before this House?
I have.

3015. Are you in favour of the entire abolition of tests from the Universities?
Yes. I am in favour of the entire abolition of tests. The Bill does not go to that length; it excludes the Divinity Professors from its operation.

3016. And it leaves the heads of houses in the same condition as at present?
Yes, nearly so; because, with one or two exceptions, the headships of colleges are confined to clergymen.

3017. What do you consider to have been the effects of tests as they have been up to the present time enforced?
I think that they have not prevented very great divergencies of opinion from springing up; I do not think that if tests were abolished the differences of opinion would be greater than they are at present.

3018. In what spirit do you think that tests are, as a rule, taken; are they taken as if they were a formal matter?
I should not be willing to say that; but they are taken in a very general

Rev. *B. Jowett.*

21st March 1871.

sense; in the most general sense possible, I think; and yet, although there is this latitude in the mode in which tests are interpreted, they have the effect of excluding one-half of the nation from the Universities. While they admit every degree of divergence of opinion which professes to be within the Church of England, they exclude anyone who professedly belongs to any other religious community.

3019. What effect do you think the test has upon the opinion of the University with regard to the Church of England?

I think that it has a very unfavourable effect, and that the Church would be stronger without tests.

3020. You think that it causes the members of the University to look upon the Church of England as interposing a barrier to the promotion of merit?

Yes, I think so.

3021. Do you think it has a bad effect, too, upon the religious tone of the University through its effect upon the Church of England?

I think that religion would be in a much more favourable position if it were entirely unprotected, if I may use such an expression.

3022. You would leave it to depend upon the general public opinion of the nation in a great measure, and also upon the general religious tone of the University?

I think that the only safeguards which are possible with reference to religion and religious opinion are, first of all, the general religious feeling of the community, which is not likely to be greatly violated in the University—what society is, the University will be; and, secondly, so far as we can hope to attain a higher tone, I think that must be the result of the personal influence of good and able men in the University.

3023. You will be against any test whatever, however comprehensive, if I understand you rightly?

Yes, I am, because, however comprehensive tests may be, there are still persons who are excluded by them, and there is an ambiguity about their meaning. Supposing we require as a condition of becoming a teacher a declaration of the general faith of a Christian, still an ambiguity arises. There is a difference of opinion amongst persons as to who are to be called Christians, and who are to be included. We are apt to speak of everybody as an infidel who does not agree with us, and we should have the old disputes revived. Is a Quaker, or is a Unitarian a Christian? Then, again, the Jew or free thinker would be excluded; the Ultramontane admitted. Let me also put the case of particular scientific men who are not at all opposed to Christianity, but yet who might have a great objection to signing such a test, both on general grounds which would apply to signing any test whatever, and on particular grounds with reference to the sense in which the word "*Christian*" was employed. It is a very invidious thing to compel a conscientious man to say, "I am not a Christian, and I object to signing that test." I think you would find difficulties about a a comprehensive test. It goes upon the supposition that the Universities are divided into two great classes, one consisting of Christians and the other of infidels. That is not at all really the case. We shade off into one another, just as people do in society, by every degree of difference, and sometimes pass from one class to the other, and you would do harm if you introduced artificial distinctions which stereotyped us as Christians or non-Christians, just as you would if you introduced similar distinctions in society.

3024. You would attach no importance to the imposition of a kind of negative test?

I think that it would have no positive effect in attaining the end for which it was intended, and that it would have some very bad effects. One effect, I think, which would obviously arise from its introduction, would be a great silence on the subject of religion, and upon all questions of opinion connected with it. An honourable person would say, "I have taken this test, and therefore the best thing I can do is to close my mouth. I will speak on history, I will speak on physical science, but about religion I will say nothing." I would submit that there cannot be a more unfavourable position for religious opinion than that of absolute silence and indifference to it. Anybody who takes any interest in such subjects

subjects knows that although there are difficulties about opinion and belief, they are nothing as compared with the difficulties which arise from indifference.

3025. And you do not anticipate that if these tests are abolished it will have any practical effect upon the religious teaching of the Universities?
No, I do not.

3026. Would you propose to abolish the tests even for Divinity professors?
That is not included in this Bill; but I should wish to abolish the tests even for Divinity professors. In the appointment of Divinity professors, I think the persons who appointed them would have a certain regard for public opinion, but the object in view is very ill-secured by tests. They appear to me to be useless and superfluous in the case of Divinity professors as well as other professors.

3027. You would leave them entirely free, would you?
I should not bind a person by the obligation of a test. I should like to put before the Committee this consideration. Supposing you had one class of professors bound by tests; for instance, supposing the Church of England Divinity professors were bound by tests and other Divinity professors were not bound by tests, which do you suppose would have the greater authority and weight; the persons who were free to speak what they thought or the persons who were obliged to speak within a certain limit? Of the latter a great suspicion would arise that they said not what they thought, but what they were compelled by the test to say.

3028. Would it not be difficult, however, to have Divinity professors without any distinctive Divinity which they were to teach?
I have not said that the Divinity professors should not have any distinctive character, but that the distinctive character should not be defined or enforced by tests.

3029. You would leave it to the effect of public opinion upon the professors?
I should leave it to the persons who appointed them.

3030. Do you consider that the clerical fellowships act in any manner as a safeguard to religious teaching in the University?
No, I think not at all. The clerical fellowships are open to great objections; in the first place you are compelled to elect an inferior man, because he happens to be in orders, or because he expresses a willingness to take orders, and you reject superior men. That has a bad effect in many ways. In the colleges you have thus two classes of persons; one who are elected for merit, and another who are only half elected for merit, that is to say, they are elected for merit, combined with the condition of going into orders; and they have an equal vote at elections, and an equal voice in the education of the college. Again, it is difficult, in any case, to get a good tutor in a college, and if you are obliged to add the further condition that you can only take a person in orders, the difficulty is greatly increased. With regard to the Church of England also, I think the clerical fellowships have the worst effect. Men constantly go into orders, or profess their willingness to go into orders, for the sake of obtaining a fellowship. I know instances of men who have done so, and of men who have stood for clerical fellowships, and not afterwards gone into orders because they did not get a clerical fellowship. I think that the effect of clerical fellowships is injurious, both upon the minds of the electors and upon the minds of the candidates; and I also think that the injury to the Church is very great in another way, for no religious society is really benefited by holding an invidious position.

3031. You are aware that the clerical fellowships are not affected by the Bill before us now?
Yes, I am aware of that; but I understood your Lordship's question to be, whether they had any good religious influence. My answer is, I think they have none at all.

3032. As to the chapel services, in the case of the abolition of tests, I understand

Rev. *B. Jowett.*
21st March 1871.

stand you to say that you do not consider that the religious education of th University will be affected?
That is my opinion.

3033. Do you think that the maintenance of Divine Service in the chapels would be affected by it?
I think not; but I see no objection to maintaining that service by law while the Church of England remains established. We sometimes hear now of the Church of England being disestablished, but whilst the Church of England remains established, I see no objection to the maintenance of the chapel services by law. I should confine the requirement to Sundays, because I think that there is a great advantage in being able to alter or shorten the service on week days.

3034. This Act repeals a section of the Act of Uniformity, but that section of the Act of Uniformity has only a negative effect. It provides that no service except the service of the Church of England should be performed in the college chapels?
Yes.

3035. Would you have a more positive enactment than that, or would you simply not repeal that section of the Act of Uniformity?
I think it would be quite sufficient if you did not repeal that section. It is extremely unlikely that there would be no service in the college chapels, but I see no objection to putting in a positive enactment requiring a Church of England service, if that is desired.

3036. You know the fourth clause of this Bill, do you not?
Yes.

3037. Do you think that that would be likely to have a good effect upon the maintenance of religious instruction and worship?
It seems to me to depend upon the meaning of the words, "lawfully established."

3038. That relates to the statutes of the different colleges, I believe?
As far as the statutes of the colleges are concerned, you may expect to find the services in the college chapels maintained in such a manner as they are likely to be maintained by a body of persons, the majority of whom for a long time to come will probably be members of the Church of England. I think you may very safely trust to them, but I believe your Lordship spoke also of enforcing the maintenance of religious worship by some general measure.

3039. I did. Do you anticipate that if tests are abolished you would get, especially in the smaller colleges, a society consisting of persons of so many different denominations that it would be impossible to keep up any kind of religious teaching or worship, their views being so conflicting that they could not agree upon any particular form?
No, I do not anticipate that; I think that difficulties of this sort would disappear in practice. I think that the case of a college is very much like that of persons meeting on a school board. Sensible people feel at once, under such circumstances, that what they have to do is not to enforce their own peculiar religious opinions, whatever they may be, but to do the best they can for the young persons who are brought under their care; and I do not imagine, as I think I implied in a previous answer, that the divergence would be much greater if the Bill were passed than it is at present; but even if it were, I should not expect that persons in authority would be attempting to enforce their own individual opinions irrespective of their duties to the younger persons who were placed under them.

3040. Do you think that the removal of all tests from the teachers of the different colleges who now give the religious instruction would cause alarm to any large portion of the public who now send their sons to Oxford and Cambridge?
It is very difficult to say what will and what will not cause alarm; but I should imagine that they would find the colleges remaining in very much the same state as they were before, and consequently no alarm would be likely to be felt. I have not heard of anything of the kind.

3041. I should like to ask you one or two questions upon the working of the Oxford

Rev. *B. Jowett.*
21st March 1871.

Oxford studies, especially in connection with the Final Classical School. We have had a good deal of evidence as to the deleterious effect of that philosophical teaching, and we have heard it called a one-sided teaching of philosophy. Do you consider that of late years the increase of philosophical teaching has produced a great looseness and laxness of belief?

I do not think so. Charges of this sort are very easily made and are very difficult to rebut, but I would put the matter to one or two tests. If anyone will read over the questions which are asked (and they are all printed) in the Oxford philosophical schools, I do not think he will find a trace of anything tending to infidelity or to any particular opinion. We know that there are persons who will speak of Locke as tending to infidelity. The same may be said of Bacon and almost every philosopher, and it is possible that in that general sense the Oxford schools, like all philosophy, may tend, I will not say to infidelity, but to something opposed to the opinion of the person who makes the charge. In the same sense you might say that all physical science tends to materialism. In certain minds and in certain cases perhaps it does, but that is not a fair charge to bring against physical science. Let me offer another illustration: this is a charge now brought against the Oxford schools; but if you look back for 30 or 40 years, you will find that the papers had then a somewhat different, and as it appears to me a narrower, character. They were very much confined to Bishop Butler, and the connection of Bishop Butler with Aristotle, which is an imaginary thing, really. But what I was going to remark is that a number of the persons who went over to the Church of Rome were very largely trained in Bishop Butler. You see it in their writings; but it would be very unfair to say that Butler tended to Popery upon that ground; and I think that argument applies to the same kind of charge which is now made against the Oxford schools. If anyone will look carefully over the papers, as I have done, I think he will not find a trace of anything that can be said to tend to one view of religion more than another. It is impossible to say what the remote effects of any philosophy may be. Metaphysical philosophy is a considerable power in the world, and criticism, again, is a power in the world, and I cannot tell what effect reading books like Niebuhr, and Grote, or Mr. Mill's Logic may have had upon some minds. But it would be quite ridiculous, in any enlightened system of education, to banish all these books on the ground that the principles contained in them might be applied in another sphere of study. You cannot convert Oxford into a seminary for Catholic priests in which all disturbing influences are kept out of the student's reach. And, as a fact, I do not think it is at all true that the state of Oxford is a state of scepticism or infidelity. As far as I have observed, it is very much like the rest of society in that respect. What you should compare Oxford with is, not the opinions of particular individuals or parties in the Church, but you should compare it with the newspapers, and with the tone of society, with the books which are in the hands of everybody. That is thefair comparison; and, tried by that test, I believe you would find Oxford to have less tendency to scepticism and infidelity than the greater part of the world.

3042. Is it true that there is a great deal of German philosophy now taught at Oxford, if not directly, yet filtering through the studies in preparation for the Final Schools?

German philosophy is such a general name that I hardly know how to reply to the question. There are all kinds of things which may be called German philosophy, having the most various tendencies. I should be very sorry if there were not some knowledge of German philosophy at Oxford. There seems to be too little study of German, rather than too much, at Oxford. Very few persons read German books. I have no doubt that there has been an interest about German philosophy, and about Hegel in particular, just as there has been an interest about a great many other things; but it would be a great mistake to look upon the philosophy of Hegel as a mere infidel philosophy. He was, or believed himself to be, a Conservative both in religion and politics. There are all sorts of persons, from the most extreme of orthodoxy to the most extreme of the opposite view, who have professed themselves disciples of Hegel. And it does not at all follow that because persons read Hegel they share all his opinions, even supposing him to be of a different character from what I am describing. They read the book as avaluable work on Logic, in fact. So

Rev. *B. Jowett.*

21st March 1871.

again with respect to Mr. Mill's Logic. Without expressing anything but the greatest respect for Mr. Mill, it would be ridiculous to suppose that the persons who read about the syllogism, and the proposition, and the experimental methods in Mr. Mill's Logic share all his opinions. The book has forced its way because it is the best and most available English treatise on Logic.

3043. Do you think that if the study of the very highest branches of learning is encouraged at the University, it is impossible to exclude any particular class of authors from the attention of the students?

I think not.

3044. With regard to the present state of Oxford as compared with the past, I understand you to say that you do not consider that the spirit of scepticism has gained ground?

No; I should say that both extremes of opinion, the extravagances on both sides, have rather gone back in the last five or six years.

3045. To what do you attribute that going back; to any special cause?

I do not think I could very well fix a cause for it. There are times when opinions make way, and there are other times when they do not; perhaps the influence of some particular person may have something to do with it.

3046. Then I understand you to say, that if these tests are abolished, you do not anticipate any great increase of scepticism, because I imagine that these tests do not at all affect the teaching in the Final Schools, do they?

Not at all, I should think.

3047. And the safeguard you would propose, would be the maintenance of the chapel services as at present on the Sundays; would you make any further provision or safeguard for the teaching and religious education?

I have already said that I think the only real safeguard is, first, public opinion; the level of religious opinion in society; and secondly, the influence of good men. It appears to me that what can be done beyond that is comparatively trifling; but I think it would be quite right to retain the chapel services. With respect to making provision for religious instruction, I think you will do more harm than good in attempting it. Let us consider the different plans which might be proposed for accomplishing that object. You might require, by Act of Parliament, that there should be a Divinity lecture in each college; but I think you had much better leave that to the college itself. You can only enforce a minimum, and if you do that, you are most likely to minimise the amount of religious instruction, whereas, on the other hand, it is not likely that the colleges will neglect so important an influence as religion in education.

3048. I suppose the wishes of parents would have some effect upon the teaching given at colleges, because there would be a desire to keep up the numbers of the undergraduates?

Yes, and I hope there would be better motives than that also.

3049. *Chairman.*] I did not quite understand what view you took with respect to the Divinity professors; are they to be of all religions, or only of one?

I did not say that they were either to be of all religions or only of one, but what I said was, that I thought it was not desirable to impose tests on the Divinity professors. In a Church of England University for Church of England students, no doubt the professor appointed would be a clergyman of the Church of England, but I do not think it is desirable to enforce that by any test to be imposed upon him.

3050. It is not the result, but the instrument, to which you object?

Yes, it is the instrument.

3051. I think you used the words, "Church of England University"; do you recognise the University as being Church of England by right as well as by fact?

No; I think that while the Church of England was the Church of the whole nation, it was reasonable that the Universities should be Church of England, but now that the Church of England is only the Church of half the nation, I think it is very unreasonable that the rest of the nation should be excluded. Perhaps your

your Lordship will allow me to make a slight correction in the words I used just now. I meant to say the Divinity professors for Church of England students.

3052. If it is unreasonable that the Universities should be exclusively Church of England, it would be equally unreasonable to suppose that the Divinity professors should be exclusively Church of England, would it not?

No. I do not think that the inference holds; I think it is quite possible to have Divinity teachers for the Church of England students, and Divinity teachers for Dissenting students, and, perhaps, Divinity teachers for Roman Catholic students, in the University.

3053. Then it does rather come to that, you would have Divinity teachers of as many religious bodies as there were pupils to attend them?

Yes.

3054. How would you propose that the persons appointing those Divinity professors should ascertain the nature of the doctrines that they were prepared to teach?

By the general repute of the persons who were appointed.

3055. Not by any questions asked of the persons themselves?

Not by any questions asked of the persons themselves.

3056. Nor by any promises taken from the persons themselves?

No.

3057. And when the persons were once appointed, I suppose you would not think it right that they should be liable to deprivation or supervision, if they taught differently from what was expected of them?

I should leave that to the different sects to arrange for themselves.

3058. You would have no objection to the sects, then, imposing a penal prohibition upon the Divinity professors?

There is a good deal of difficulty about subjects of this kind. I am not prepared to solve it. I would rather say generally, that while there are Divinity students of different religions there must be Divinity professors of different religions; but I should leave to the different religious bodies both the mode of appointing them and the mode of removing them.

3059. Then in some way or other you would organise the different religious bodies for that purpose?

I do not think it would be necessary for the University to do that. I think that they would organise themselves.

3060. Then you contemplate the Divinity professors not being supported in any way out of any funds at the command of any University or college, or out of any endowment?

No; I think I have said nothing that would imply that. I imagine they would retain the endowments they have at present.

3061. Some one authorised by law must appoint to the endowments?

In that case, with respect to the Church of England, I would leave them as they are at present; the greater part are appointed by the Crown, and some by the Universities, or by bodies within the Universities.

3062. But if they are appointed by the University, and the University becomes what, in theory, you hold it ought to be, the representative of a nation, which is equally divided into Church and no Church, the Divinity professors would not constantly remain members of the Church of England?

For the next century, probably, the large majority will belong to the Church of England; so I do not think that that difficulty is really a practical one; and, as far as I can see, it would only apply at all to one of the professors.

3063. The Margaret professor?

No, not the Margaret professor; the Margaret professor is elected by clergymen.

3064. He is only elected by Bachelors of Divinity, I think?

They must be clergymen.

Rev. *B. Jowett.*

21st March 1871.

3065. Not under this Bill, I think. However, speaking generally, your view would be that the nature of the doctrine taught by those Divinity professors should depend upon the predominance of opinion in the body which elected them?

This is a very difficult subject; I will tell you as nearly as I can what I think. I think it would be much better if Divinity were altogether free, and if there were no such divisions of opinion as exist at present, if facts and opinions in theology could be examined like other facts and opinions. But in the present state of this country, I might say of the Christian world, that appears to me to be impossible; and, therefore, though I do not think it the very best thing, I should be willing that the Divinity professors should be appointed by the several bodies of Christians.

3066. But your view, looking to a higher ideal, would be that a man should examine theology as he would any experimental science, and teach his pupils such theories and views as might occur to him in consequence of that examination?

I should object to the comparison with experimental science, because you must allow for a great difference in the nature of the subject-matter.

3067. But you would hold that there was no objection to a teacher of theology indulging any amount of individuality or eccentricity in the doctrines that he taught, any more than you would in the case of any other science, so that they were the result of a careful examination and a conscientious desire for truth?

I should hold that there was the greatest objection to eccentricity in all cases.

3068. I will say departure from conventional and ordinary standards?

It would depend upon how far it was a nearer approach to the truth or not, I think.

3069. I understand you, without accepting any standard of external truth on their behalf, to wish to give them the utmost latitude and freedom?

I think that the true principle would be to give them latitude and freedom; at the same time a man is very responsible for the conclusion he comes to, and for what he teaches.

3070. But I understood that that opinion of yours adapted itself to another opinion which you stated in your examination in chief, which was, that the authority of a teacher over those whom he was teaching depended almost entirely upon their belief in his perfect freedom in the utterance of the opinions which he held?

No, I do not think I said that or anything quite like it. What I said was, that I thought that anybody who was bound by a test would be at a very great disadvantage in point of authority; but I did not mean to say that mere freedom would give him weight or respect. Nobody values less than I do the mere power of saying what you please whether you are fit to say it or not.

3071. Your view is that, other things being equal, a person free from any pledge would have much greater weight than a person who was not free?

That I did mean to say; but that is quite a different thing.

3072. Would you not think that that must go a great deal further than the Universities, and apply to the clergy also?

I hesitate to answer these questions, because, though I am very glad to give my opinion, they are very difficult questions to answer off-hand, and I do not quite see, if I may be allowed to say so, how they bear upon the question about which I am examined. I do not mean any disrespect to the Committee; but the truth is that these questions are very difficult to answer off-hand without consideration. I would wish to say shortly, in answer to your Lordship's question, that I do think it would be desirable that tests should be abolished for the clergy as well as for the Universities.

3073. I have no wish to ask you any questions which may seem to you irrelevant; but you will see that you and others are urging very great changes upon the ground of broad general views, and, of course, before those broad general views can form a ground for legislative action, it is necessary that we should ascertain how far, and in what direction, they will carry us?

Very well; I will not object to your Lordship asking what you think proper.

3074. I wish

3074. I wish to ask you again with reference to the clergy; I think one of the present institutions of Oxford to which you took the strongest objection was the clerical fellowships?
Yes.

3075. And one of the grounds on which you stated that objection was, that persons were induced to take orders for the sake of obtaining clerical fellowships who would not otherwise have taken orders?
Yes.

3076. Do you not think that that objection applies to any other system upon which the clergy are remunerated?
It does.

3077. There must be many persons who take orders for the sake of livings who otherwise would not take orders?
It is a matter of degree, I think. What your Lordship says is quite true. I have very little doubt that that has the same bad effect. Many a man has taken orders because he has had a living waiting for him; we must be all familiar with that fact; and I think that that is an equally bad thing.

3078. You would not on that account refuse to accept the principle that they who minister at the Altar shall live by the Altar?
Certainly not.

3079. Do you not think that one of the remunerations of the clergy may fairly be derived from fellowships attached to colleges, supposing that the money comes from persons who wish it to be so disposed of?
The restriction of fellowships to clergymen presents a very direct temptation, to which I admit that livings may sometimes offer a parallel, but it has other evils besides. You appoint a man of inferior merit instead of a man of superior merit, because he is willing to go into orders, and that is an evil which does not apply to livings equally.

3080. Do you look upon clerical fellowships as an evil absolutely or comparatively; I mean, would you rather that a man having money to leave should not leave it to a college at all, or that he should leave it in the shape of a clerical fellowship?
I would rather that he would not leave it to a college at all, than leave it hampered by any kind of restriction, clerical or otherwise distinct from the main purpose of the college.

3081. You do not think that the promoting of religious belief in any form is an end to which the machinery of colleges ought to be applied?
Not the promoting of particular religious belief. Religion is a very important element of education, and I do not wish to see it diminished in the colleges, but I do not think you are at all likely to be successful in promoting it by confining endowments to one particular form of religious opinion, or to the teaching of religion generally.

3082. Would you forbid by legislation the application of any funds to the teaching of religion generally in the Universities?
No, I should not, any more than I should wish to prevent by law property being left for other purposes to which it would be very undesirable that it should be left.

3083. Still you regard it as highly inexpedient that property should be left for the purpose of teaching religion in the University?
Yes, I do; but there are a great many other things which are inexpedient, which I should not wish to prohibit by law.

3084. Therefore you would not wish to prohibit in any way denominational colleges?
I do not think them desirable, but I should not wish to prohibit them.

3085. Not having prohibited them, would you, when they were founded, take their property and make them undenominational?
No.

Rev. *B. Jowett.*

21st March 1871.

3086. At what date in the future would you think it right to begin that process?

The time fixed by the Oxford University Commissioners for changing the destination of property was, I think, 50 years after the foundation. I should wish to follow the precedent which they have set.

3087. Then you would go upon the broad general principle that all property left by testators for public objects, whether religious or not, should be subject to be appropriated to such purposes as Parliament might think fit when the testator had been dead 50 years?

I am speaking of the question as a matter of general political principle; at the same time it might be very undesirable to make any change by legislation in the destination of property.

3088. You would not, I mean, select religion, or amongst religions the religion of the Church of England particularly, as the special subject of that operation. You would apply the principle to all objects to which testators could leave their money?

Yes.

3089. And you would claim to deal as freely with Nonconformist endowments as with Church of England endowments?

Yes.

3090. Then your objection generally to all this machinery for producing religious teaching may be summarised thus, may it not, that you do not wish for religious teaching in the University?

No; I wish that religious teaching should exist in the University, and that religious influences should exist there, but I think that you are not likely to obtain them in the best manner, or in the greatest degree, by tests, or by confining endowments to the encouragement of them.

3091. Did not I understand you to say that you objected to any money being applied to the teaching of religion in the University?

That is what I mean in the answer which I have just given.

3092. If I understand your doctrine rightly, it is that you wish that religion should be taught in the University, but that you do not wish that any provision for that purpose should be made?

Yes, that is what I meant to say, but I would put it in rather a different way. I wish that religious teaching should exist in the University; but I do not wish religious endowments to be appropriated to it simply. My reason for not wishing religious endowments to be appropriated to it is because I think that is the least likely way to encourage it, and the worst way of promoting it.

3093. You would prefer that it should be taught without paying any person to teach it?

Not without any person being paid to teach it. That is not what I said. I said without any endowment being specially confined to it.

3094. Any payments which are made for the teaching of religion in the University must come from living persons?

I presume your Lordship is speaking of the Divinity professors.

3095. I speak of any teaching of religion in the University?

In order to prevent misunderstanding, I should wish to explain the state of matters which exists at present. There are the Divinity professors, on whose lectures candidates for orders are compelled to attend, and besides that, there are the tutors of the colleges in the University who teach Divinity. The first are already furnished with endowments, and I have said that I do not propose to touch those. With respect to the second, I think it is better that they should be paid out of the general tutorial fund of the college, as they are at present, than that any special endowment should be set apart for them.

3096. The result of that, of course, would be that they would be paid without reference to the kind of religious teaching which they might give?

They would be paid with reference to what the governing body, chiefly consisting of members of the Church of England, thought to be their duty with reference to the undergraduates.

3097. How do you know that they would be chiefly members of the Church of England?

I think there is very little reason to suppose, in the present state of education, that Dissenters or persons of other opinions would form a majority either of the University or of any of the colleges. What we have to consider is, what will probably be the general state of the University.

3098. But still I understand you, that desiring, as most of the parents in England do desire, that there should be religious influences in the University, you do not wish that any special arrangements involving pecuniary payments should be made for the teaching of any religious belief?

Not exactly so. I have said I think that it is desirable that special arrangements should be made; but that they should be made by the colleges themselves, or by the University itself, and not maintained by the appropriation of any new endowments to them, and not enforced by Act of Parliament.

3099. Lord *Stanley of Alderley.*] You said truly just now, that the charge against physical science of tending to materialism would be false; could the same thing be said with regard to teachers who might twist the teaching of physical science when they were no longer held under restrictions by the University?

Yes, I think so. The ground I have for giving you an answer to that question, is by taking the cases of universities or institutions where there are no tests. There are the London Institution, the Royal Institution, and other places, where professors are bound by no tests; but I never heard of their going out of their way to attack either religion or the Church of England.

3100. Is not the difference between the University and the London Institution, that the one addresses grown men, and the other addresses persons *in statu pupilari*?

I think I might answer that question by saying that the one addresses ladies, and the other does not.

3101. The conduct of some of the Oxford examiners has been incriminated before this Committee for examining in Hegel: would not the same objection apply to examiners in science, who should examine in Darwin and his school, instead of in the Bridgewater Treatises, which show the evidences of design?

I do not consider that it would be any crime if an examiner at Oxford had examined in Hegel, but I never heard of and know nothing about anybody examining in Hegel, nor do I find a trace of any such questions in any of those examination papers which I was looking over yesterday.

3102. *Chairman.*] Does that apply equally to the college examinations for fellowships; is there any examination in German philosophy for them?

Does your Lordship mean to ask whether no question is ever asked about German philosophy?

3103. I did not mean that, but is it not a general subject of examination?

No, not as a distinct subject; not in the same sense, for instance, in which Greek philosophy is a subject of examination.

3104. Lord *Stanley of Alderley.*] I think you admitted that you would wish denominational endowments or endowments, established for a specific purpose, by bequest or gift recently, to be exempted from the operation of this Act?

There is no idea, I think, on the part of anybody, of including them.

3105. *Chairman.*] Keble College is within the Act?

There is no idea of taking from such endowments their denominational character.

3106. Lord *Stanley of Alderley.*] The Smith's prize at Cambridge, for example, was only founded 100 years ago; do you admit that these endowments should be exempted from the operation of the Act, and that they should be protected and maintained as applicable to the objects for which their testators or founders intended them?

I wish the denominational colleges should be fully protected in their denominational purpose, but I do not think it is necessary to do that by allowing them to impose tests. I should not allow them to impose tests. I did not catch the meaning of your Lordship's question at first. I think the founders of denominational colleges, by the machinery of trustees, by placing them in the hands of

Rev. *B. Jowett.*

21st March 1871.

persons in whom they have confidence, can abundantly provide if they wish to do so, for maintaining their own opinions if that is a desirable thing; but I should not allow them to do it by imposing tests.

3107. Does not a confusion of ideas as to right and wrong, and *meum* and *tuum*, do more harm to the undergraduates than the occasional sight of the supposed hardship of a Jew being excluded from a competition for Christian endowments?

I do not consider that to alter the disposition of property by Act of Parliament involves any confusion of ideas as to *meum* and *tuum* at all, provided sufficient reason is shown for it.

3108. Is not the apparent hardship of so being excluded lessened by the fact that it is opened to any Jews, Parsees, or others, to establish scholarships or to open colleges for their co-religionists in either Oxford or Cambridge?

It may be so.

3109. Are you aware that attempts have been made, some with and others without success, by the Civil Government in British India to appropriate the foundations of other religions to Christian education; will not such attempts be encouraged by the attempt to divert Christian endowments to those who are hostile to all religion?

That is a very wide question.

3110. Earl of *Harrowby.*] I think you seemed to have no objection to securities being taken for the continuance of a religious character in the teaching of a college in itself, but you objected to the particular mode of securing it by a test?

I object to the particular mode of securing it by a test.

3111. The mode of securing it which you would contemplate as a substitute is public opinion, is it not?

Yes.

3112.] Do you believe that public opinion, although it might act upon the whole body of a University, is sufficiently powerful in small communities consisting of half-a-dozen or a dozen people living habitually together, and whose acts are not very much submitted to public scrutiny?

I think that it would have considerable weight, and that it is the best security you can get.

3113. Would you have an objection to there being any requirement or any pointing out of the qualification to the electors which you expect them to regard in the elections to fellowships?

That would mean, that they should elect to fellowships not purely according to merit, if I understand your Lordship rightly, but with reference to religion or to religious character.

3114. *Chairman.*] Have you any objection to inserting the word "literary" before "merit"?

No.

3115. Earl of *Harrowby.*] You conceive that the election to the government of a college should depend entirely upon success at the age of 22 or 23 in the literary career which was pointed out for the education at a college?

Yes; I think that that is the system which is least liable to abuse, and most likely to succeed in the long run. You will get some persons who are not fit, or at all events who are not the best persons you could have; not so good as you could have if you supposed some wise man who had a great knowledge of the world and of mankind selecting them, perhaps; but, upon the whole, you will get a much better governing body in that way than in any other; and I may mention that I can see the effects of that already at Oxford in the great improvement which has taken place in education, and the greater care and attention to the undergraduates, and the better teaching in the colleges, since the colleges have been thrown open.

3116. For instance, supposing there are two persons, one professing anti-Christian views, and the other not, you see no objection in an elector saying, I prefer the one for the education of the youth who are put into my charge who has Christian views, to the one who has the reverse, although the one who has the

reverse

reverse may have proved that he was a deeper Greek scholar than the other. Should you see any objection to that element entering into an elector's consideration in the choice of a tutor for a college?

I should see great objection to that element entering into the elections to fellowships, because, though I should wish the fellows of a college to be a Christian body, that opens the door to abuse. Let me observe two or three things about it. In the first place, young men are not so divided at the age of 22 or 23, that you can tell who is Christian and who is un-Christian amongst them. If you admit the consideration of requiring a person to be a Christian, it carries you much further than you intend. It brings into operation much stronger motives than the interest of Christianity, namely, party feeling as between High Church, Low Church, and Broad Church. You are constantly liable to have a man elected because he is a high churchman, if the majority of the electors are high churchmen, and because he is a low churchman if the majority are low churchmen. Merely social considerations, as well as party ones, may sometimes enter in. In that way you take away all confidence in the election. I do not deny that, upon the present system, you may occasionally get a man who is out of harmony with the place, but I think the evil of that is much less than the evil of the system which your Lordship suggests.

3117. How do you think a parent would look at it himself, in the choice of a tutor for his own son; would he, of necessity, choose the best Greek scholar, or would he choose a man who was a good Greek scholar, and at the same time of good moral and religious character?

I think the tutors of colleges will generally be men in whose moral and religious character parents may have confidence.

3118. Is that secured merely by their literary qualities?

It is secured by their literary qualities, and the influences of the place, and many things. I think that a parent generally will not, as far as my experience goes, enter nicely into the religious opinions of the tutor of a college, but he will choose the man who he thinks will be most careful and attentive about his son, and take the most pains with him.

3119. Would you abolish that clause in the statutes, which says that in an election the electors ought to take into consideration the man who is fittest, amongst other qualities, for the place, as a place of religion as well as of education?

No, I do not wish to abolish that clause in the statutes, but I think in practice it has been found that we have elected at Oxford almost uniformly, and with very slight exceptions, by merit.

3120. By merit proved in the schools?

By merit proved in the examination for the fellowship.

3121. I think the tendency of your mind would be against all religious endowments; you would think that the religious teachers should depend upon the support of the professors from time to time of the different religious creeds; that would be the tendency of your line of thought, would it not?

I think that the best way of supporting both religious teachers and all other teachers, is to make them partly dependent on their pupils or congregations, and partly independent of them.

3122. You would feel that there would be a security where men were dependent upon the support of religious bodies from time to time for their religious character, which is not given where they have to be appointed to endowments?

3123. Supposing you had a number of teachers of divinity, or theology, or religion, or whatever it may be called, not supported by endowments, but simply supported from time to time by those persons who professed the different professions of faith, would there not be a temptation among the subscribers to choose a man not simply from his literary qualifications, but from his accordance with them in religious opinion, and from his general religious character?

Your Lordship means that, owing to those causes, a person would be appointed who would not be a suitable teacher in point of literary qualifications. I think there is that temptation.

Rev. *B. Jowett.*
21st March 1871.

3124. A person who would not have the highest qualities of a literary teacher, but would have those which would be, perhaps, more important in the minds of the subscribers, namely, an agreement in religious opinion with themselves, or eminence of religious character?

Two things occur to me with reference to that. In the first place, I do not think it would be desirable for a professor of Divinity to be dependent entirely upon the subscriptions of some religious body; and, secondly, that the religious bodies would find it very important to choose able men; and that they would not think it a sufficient qualification for a Divinity professor that he was a religious man simply, because they would find that he had no influence, and did nothing with his pupils.

3125. Have there not been instances, in not very remote times certainly, where a man was removed from his fellowship though he was of the highest qualifications, because his opinions were not considered orthodox by those who managed the college. I refer particularly to Dr. Davidson?

Yes; and I should think that the managers of the college acted very unwisely in removing Dr. Davidson.

3126. You think it was very unwise to remove a man whose religious opinions they did not think were safe and sound?

Yes, in that instance.

3127. You think it would have been better for them to have gone on encouraging and supporting a man who was what they considered unsound in religion?

I think it would be better for any religious body to tolerate within their body a good deal of difference from their own views; and so far as I could have any opinion about them from a slight knowledge, I think the Dissenting bodies would gain very much by allowing the same toleration which appears to exist in the Church of England.

3128. Earl *Stanhope.*] I think I understand you to say that all those who intend to enter Holy Orders are expected to attend the lectures of a professor of Divinity?

Yes.

3129. Does it not follow that there might be some strong reasons for retaining the tests in the case of the Divinity professors, even if tests were abolished in other cases; for might it not happen that a layman appointed to that professorship without a test might be found to lecture to these young men who were intended for Holy Orders in terms not conformable to the tenets of the Church of England?

I am afraid I can only repeat what I have said before; first, that I do not think denominational teaching the best mode of teaching religion; but I regard it as a necessity, and looking at it as a necessity, I think you can obtain it quite sufficiently by the mode of appointment without further requiring tests. I do not propose that a layman should be appointed; but even if a layman should be admitted to a Divinity Chair (and it is very desirable that laymen should be students of Divinity), the same thing would apply. I think you may obtain all the safeguards which you require by the mode of appointment.

3130. How would you supersede the necessity of tests in the case of the Divinity professorships in this event, that a person who had been appointed, we will suppose, when he held tenets in strict conformity with the tenets of the Church of England, afterwards deviated in his teaching from those tenets. You can now, as I understand, ask those professors to take the test a second time; supposing there was no test, what measures would you adopt in the case supposed?

A Divinity professor is liable to the Church Discipline Act, just as any other Church clergyman is.

3131. But supposing a layman were appointed as a Divinity professor, and many laymen have been highly qualified to teach Divinity, what step would you take?

If you insist upon his being strictly a denominational teacher, you must make some provision to meet the case.

3132. That is the very point. You admit that in that case some provision must be made to meet the difficulty I have mentioned?

Yes;

Yes; if you want to preserve denominational teaching, and do away with tests, I think some provision must be made.

3133. You stated in a former answer that you thought it would be very proper to provide by legislative enactment for the continuance of the service on Sundays in the college chapels, according to the rites of the Church of England, but that you did not think that the same provision should be made for week days?
Yes; I think it should not.

3134. I do not clearly understand your motive for making the distinction?
My reason is, that I think the service is too long and ill suited for a daily service for general use in a school or college. Without wishing to make the service other than the service of the Church of England, I should give the same latitude in colleges that I think is now allowed in schools. I think there is some Act which allows a variation of the service on week days in schools.

3135. That is to say, you would not object to the legislative provision being extended to week-days, provided the whole service were not required, but with the provision that no prayers should be used but those of the Church of England?
Yes.

3136. On that footing, then, you would not object to week-days being included in the same legislative provision as Sundays?
No.

3137. May I ask as to the chapel services at Balliol College; is attendance upon them considered compulsory or voluntary?
Voluntary.

3138. In former years it was compulsory, was it not?
Yes.

3139. At what time was the change made?
About three years ago.

3140. Have you found the results satisfactory?
Yes, I think so.

3141. Earl of *Harrowby.*] Is the service in English or in Latin?
It is in English, I think, at all the colleges now. Until lately, at Christ Church and Worcester it was a Latin service.

3142. Earl *Stanhope.*] Have you had instances of young men pleading religious scruples, and being unwilling to attend the service in the chapel on that ground?
For a long time, for 10 years past, I think, Roman Catholics and Dissenters have been exempted from going to chapel.

3143. Whenever they have pleaded religious scruples?
Whenever they have pleaded religious scruples.

3144. Have you taken any step to see that the young men attended the religious service of their own persuasion, so as to guard against a scruple being pleaded merely as an excuse for indolence?
It can hardly be pleaded merely as an excuse for indolence, because they are required to attend a roll call if they do not go to chapel. That is the way in which we have met that difficulty.

3145. You do not apprehend that these religious scruples have been pleaded as a mere excuse?
No, not at all; I have no reason to think so in any single instance.

3146. Do you find that the numbers who attend, now that the attendance is voluntary, are much below the numbers who attended when it was compulsory by the rules of the college?
Yes, on week days the attendance is very small; on Sundays there is a good attendance, and the young men have themselves introduced a musical service in the chapel.

Rev. *B. Jowett.*

21st March 1871.

3147. But though attendance is not compulsory, I suppose it would lead to remonstrance if a young man, without alleging religious scruples, habitually absented himself on week days or Sundays?

It would not on week days.

3148. Would it on Sundays?

On Sundays we should wish to avoid making it a matter of discipline, or having penalties enforced with regard to it at all. It would never be mentioned publicly, but privately a young man might be spoken to about it.

3149. Have you many Roman Catholics at your college?

I think there is only one at present.

3150. I presume they are not expected to attend the Divinity lectures?

No.

3151. Have they any provision for religious teaching of their own; I do not mean in the University, but within reach?

I cannot tell you with certainty, but I should think not.

3152. Earl of *Harrowby.*] Are they generally placed under the care of any specific person connected with their own faith when they come to the University?

They attend their own chapel; they are not formally placed by the college under the care of anyone.

3153. Earl *Stanhope.*] You have never found their presence interfere with the college discipline or order?

Not in the least.

3154. Taking their whole number in the colleges at Oxford, is it at all considerable?

The number of Roman Catholics is inconsiderable; the number of Nonconformists is very considerable.

3155. And increasing?

It is increasing.

3156. You do not apprehend that any large admission of Nonconformists into the governing body of a college might lead to a slackness in religious teaching, or to such differences among themselves as to render religious teaching impossible?

No, I do not; I think matters would remain in pretty much the same position as at present, where there is a good deal of difference of opinion, and persons holding different opinions give lectures in the same college.

3157. Lord *Houghton.*] During your residence at Oxford, have there not occurred several violent controversies within the circle of the Church of England?

Yes; I am afraid that is very notorious; we have always been in a state of unrest since I have been in Oxford, and I believe antiquarians tell us that we were so in the middle ages too. We have certainly had many controversies, which have a good deal affected the minds of the young men. There has been a good deal of action and reaction; for you cannot have a movement in one direction without creating another movement in the opposite direction. Ever since what is called the Tractarian movement, which begun in 1835, there have been disturbing influences; the Hampden agitation, the Reform of the University, the changes in the examination statute, the growth of ritualism, and during the last six years, the movement for the abolition of tests; and allowances should be made for these influences by those who would fairly judge the opinions of young men

3158. Has not what might be called a certain amount of sceptical tendency in the University been almost a necessary reaction from these controversies?

Yes, I think so. The tendency of one party, perhaps of all parties, is to exclude the other party as much as possible. There has been an attempt to divide the University, more, I think, than is the fact at all, into two parties; and the old argument has been used, that if you are not High Church or Catholic, or whatever it is called, you must be in the other extreme.

3159. Have the tests which have hitherto existed in the University been of any effect in checking these differences of opinion?

I should think they have been of no effect whatever.

3160. Have

3160. Have the tests, the object of which was to preserve conformity to the Church of England, had any effect in checking the tendencies towards the Church of Rome?
As far as I can judge, they have had none whatever.

3161. Therefore the existing tests have been no more effective in checking positive diversities of opinion from the Church of England than in checking negative tendencies?
Certainly not. All that the tests could expect to do would be negative, to produce a silence upon particular subjects. All that those who impose them could possibly expect of them would be that kind of check, but that is as nothing when you come across the influence of an eminent man acting in another direction. What I mean to express is, that tests must always be purely negative, and that the greater influences which act upon the undergraduates are really positive, and that the tests do not touch them.

3162. Would not a test, the object of which was to secure conformity to the doctrines of the Church of England, act as an impediment to the introduction and sustenance of doctrines tending towards the Church of Rome?
We might suppose so beforehand, but I do not think, judging from experience that this has been the case. During the last 30 years the doctrine of a great part of the Church of England has entirely changed, and the appearance of many of our churches has become like that of a Roman Catholic Church. Judging from these general facts, I should say that tests have had no appreciable influence in checking the movement towards the Church of Rome.

3163. And having had no appreciable influence in checking the tendencies towards the Church of Rome, have they had any tendency on the other hand to check the development of freer forms of opinion?
No, I think not.

3164. You regard the tests, therefore, as comparatively ineffective on the positive as well as on the negative side?
Yes, on both sides.

3165. Was not there in the Tractarian movement a resistance to the predominant tests in the University, which led even some of the highest and best minds into a line of conduct which was hardly thought compatible with legitimate controversy?
Your Lordship refers to the casuistical explanations of the tests. Yes, I certainly think so; and that shows the great evil of tests. There are two ways of escaping from them. One is the casuistical way which, as your Lordship was saying, is justly to be reprobated; and the other is the more general way of regarding them without reference to their sense; not casuistically evading them, but taking them in the most general sense possible, or in no sense. Both seem to me to be bad.

3166. Has there been of late years any tendency to take these tests casuistically upon the negative side?
There has been a tendency to take them casuistically in one sense, but not in the same manner as before; that is to say, they have been taken in a general sense in so far as they are supposed to be enforced by law, but not explained away in detail as they have been in such writings as the famous tract, No. 90. I think that both ways of escaping from them are almost equally objectionable, and show the great evil of tests.

3167. Has the tendency to metaphysical study considerably increased of late years at Oxford?
Yes, I think it has.

3168. Has it taken a different form from the study in former times?
Yes, it has taken a wider form. There has been a good deal more reading upon the subject than there used to be. It has been studied more historically, and this appears to me to be one of the best ways of studying it. The young men now study the history of philosophy a good deal, whereas in old times we knew nothing about

Rev. *B. Jowett.*

21st March 1871.

about the history of philosophy; and I think they read more books; there is considerable reading of Bacon and Locke, for instance.

3169. In your youth, was the examination rather in the books as text-books, than in the matter of the science?

It was chiefly in the books as text-books, and was of a very narrow kind. The examination in philosophy was an examination mostly in the Ethics and Rhetoric of Aristotle, and in Butler's Analogy and Sermons, and we used to make the one play into the hands of the other, and interpret Butler by Aristotle, and Aristotle by Butler.

3170. You think that the larger extension of metaphysical science in the sense of treating it less scholastically, and more with application to modern literature and modern times, has been, upon the whole, beneficial?

Yes, I have no doubt of that.

3171. To what extent has that gone; have any gone so far as to admit the more modern books as text-books of examination, such as Mr. Mill's, and Mr. Herbert Spencer's, and Mr. Lecky's works?

Yes, that is true of Mr. Mill's "Logic", but not I think of the other two books you mentioned.

3172. As far as you remember, you never recollect Mr. Herbert Spencer's books being used as text-books?

No, I think that they cannot be regarded as text-books. Still they are not unknown at Oxford; there are persons who have read Mr. Herbert Spencer's books.

3173. You would therefore allow the question to be summed up in this sense: that the present metaphysical teaching at Oxford, taken in connection with the present tests, rather tended to make them more nugatory than before?

Yes, I think that. The present study of philosophy at Oxford differs from the study of 30 or 40 years ago chiefly in extending over a wide field. With respect to ancient philosophy itself, it includes the history of ancient philosophy; it includes Plato as well as Aristotle; whereas, in my day, hardly any of us read Plato at all; and it includes, to some extent, the reading of modern philosophy, particularly of Bacon's "Novum Organon," and of portions of Locke and Hume; of Mill's "Logic" and Sir William Hamilton.

3174. With reference to the question of clerical fellowships, do you not think that if the Church of England is to be maintained as an establishment at all, it is very important that no opportunities should be lost of supplying it, as far as you can, with a learned and intelligent ministry?

Certainly.

3175. Would not the opening of all clerical fellowships, and the consequent diminution of clergymen among the fellows, tend to produce fewer ministers of high education for the Church?

No; I think not. That might be the effect supposing you excluded clergymen from fellowships; but you must remember that all fellowships would remain open to them; the only question is, whether they shall continue to be a sort of protected class, and have some of the endowments of the colleges reserved to them.

3176. But although these clerical fellows may be somewhat inferior in letters to the other fellows, are they not, in general, the men who will be looked upon as the most learned members of the Church?

No; I do not think so; it may be so in particular cases; I think that it is very likely that the fellows of colleges who are clergymen will be amongst the most learned clergymen, but not those particular fellows who are elected because they are clergymen. I should be sorry for the Committee to suppose I wanted to diminish the number of clergymen in Oxford. What we want to avoid is having persons forced upon us as fellows and tutors, who are inferior men, because they are clergymen.

3177. You do not think that the effect of the literary education and predominance of these clerical fellows would be of service to the Church of England?

No, I do not think you would be likely to get learned clergymen in that way.

3178. Lord *Lyveden.*] It appeared in the earlier part of your examination that there was some little misunderstanding as to your views of the religious education which is necessary in the Universities; can you state to the Committee in one comprehensive answer, what your views are as to compulsory religious education in the University, and also from what funds it should be provided for?

First of all, I should say that I wish that there should be religious instruction in the University.

3179. Do you mean compulsory religious instruction?

I was coming to that; I should not wish it to be compulsory on any person who objected to it upon conscientious grounds. I should wish that the ordinary regulations which are made about lectures, should apply to Divinity lectures. With respect to the other lectures, the regulations are not very severe; the undergraduates in several colleges choose their own lectures, with a certain superintendence on the part of their tutors. The rule at our own college is, that a person may go to any Divinity lecture that he pleases, but that in two out of three terms he is expected to attend some Divinity lecture; I see no objection to that. With respect to the funds out of which the lectures should be paid (I am not speaking now of the Divinity professors, but of the college tutors), I think that they should be paid out of the same fund as the other lecturers are, that is at most colleges, out of the payments of undergraduates for tuition.

3180. *Chairman.*] But you would not wish that there should be any regulation as to the kind of religion to be taught?

If your Lordship means any regulation enforced by Act of Parliament, I should say no; there should not be any regulation enforced by Act of Parliament as to the kind of religion to be taught.

3181. Would you have any regulation enforced by the University or by the colleges?

I should leave it to the colleges.

3182. Earl *Cowper.*] We have heard it stated here, that almost every one who reads for high honours at Oxford, goes through the phase of having his religious opinions considerably shaken; is this your experience?

I should say, from my own experience, that this is not the case; of course, we know that when a young man goes from his home into the world, or even I may say, when he begins to read and understand the newspapers, he finds something different from what he has been taught at home; but I think that such a statement as your Lordship speaks of is entirely incorrect.

3183. And you do not think that, comparing such a man to a man of the same age, brought up in the same way, either at home or at college, there is more tendency in the Oxford teaching to cause a shaking of religious belief?

I think not.

3184. At any rate, even if there was, I do not suppose the question of tests would affect that one way or the other, would it; the abolition of the tests would not make it either more or less likely that the religious opinions of a man reading for honours should be shaken?

The statement, from which I wholly dissent, is made with reference to a state of things in which tests exist.

3185. And it would not be increased by tests being done away with?

It would not be increased by tests being done away with.

3186. Is not your reason for objecting to clerical fellowships this, that they induce men to come forward and take orders who would not otherwise do so, those persons not being the fittest persons to fill them?

Yes, partly.

3187. That is one of your reasons?

Yes.

3188. Do you see any way in which the emoluments attached to clerical fellowships can fairly be compared to the emoluments attached to livings in the church?

Rev. *B. Jowett.*

21st March 1871.

I think what the noble Chairman said was quite true, that any kind of endowment for a clergyman may in certain cases tend to induce persons to take orders who would not otherwise do so. I should wish to diminish this as much as possible, and I think you can do away with the temptation in the cases of clerical fellowships to which there are other objections as well, which do not apply to livings, namely, that you take an inferior man, a man less fitted for educating others, who is elected in a very invidious manner, and holds by a different tenure, when you might have a superior man.

3189. Is there not also the difference, that there are distinct duties attached to a living which are not attached to the fellowships of colleges in many cases?
I think that tells both ways. There are duties attached to clerical fellowships.

3190. Are there always duties attached to them?
No, there are not always, but the being compelled to elect under a certain condition very much diminishes your power of appointing the fittest men to be tutors.

3191. You are taking the clerical fellowships held by tutors to which, of course, duties are attached, but still, in the case of tutors, the religious duties are incidental, whereas in the case of a living, the religious duties are of primary importance, and, therefore, there is no reason why a tutor should be a clergyman?
Just so.

3192. Earl of *Carnarvon.*] Is the Committee to understand from what you have just now stated that there has been no change in the religious feeling and tendency of the University within the last few years?
No; I have not said that. I think there has been always a change going on. Many changes have taken place in the last 10 years. But I said that the extremes of opinion are probably less, just at present, than they were five or six years ago.

3193. I understood you to say that you could not detect, yourself, any marked increase of and tendency towards scepticism of recent years, as in any respect the result of the course of studies laid down under the present system?
Yes, decidedly so; during the last 10 years I can see no increase of scepticism, nor any special effect produced in that direction by the examinations.

3194. Would you be prepared wholly to dissent from such an expression as this: "I think it is quite impossible for any man to throw himself into the system of education for the final classical school at Oxford at the present time; I mean not only to study it *ab extra*, but really to throw himself into the system without having every belief in his mind loosened for the time"?
Entirely.

3195. I think you told us that the examination papers showed no very marked change in such a direction as has been indicated to us within the last 10 years?
Within the last 10 years, I think there has been none whatever. I wish to guard myself as to the period I refer to, because there has no doubt been a change, though it is not of that kind between the examination papers now and the examination papers 30 years ago. That is the change I have been describing just recently. But I fail altogether to detect any traces of questions having a sceptical or an infidel direction.

3196. Perhaps it would be better if I were to amend my question to the extent of asking whether you see any change in that direction since the alteration took place in the final school at Oxford about 15 or 16 years ago. Does your answer apply equally to that?
Yes, my answer would be that there is a great change, but not a change in the direction of scepticism or infidelity; the change is, that there is a wider system of reading, and that many books have been introduced which were not read before, but I should deny altogether that they were of a sceptical tendency.

3197. You would deny, in fact, that though the books are changed there has been a change of opinion in the University?
No, it is difficult to say that; opinion is rather too wide a word to use.

3198. Will you be good enough to qualify it yourself; I merely want to get your statement upon the point?

I think I can best answer the question by describing the state of the schools as it appeared to me when I was in the schools, and comparing it with what it is now, though I shall be partly repeating what I have said before. The books were much fewer and much narrower; the examination was much more in the letter of the books, and it was more confined to ancient philosophy and to Butler. Since the change, I think that the system has become a good deal wider, the verse composition has been dropped in the final examination, and I do not think that the same minuteness is required with respect to the books; it is more an affair of thought and power of mind, and less of memory than it used to be; in addition to that, there has been a much greater study of modern philosophy.

3199. But surely, as regards the study of philosophy, a larger number of books are read, if not as absolutely necessary to the object in view, at all events as subsidiary to it, and as preliminary to any chance of success?

Yes, that is what I said. There has been a much greater study of modern philosophy, it is true, but I do not think that involves a sceptical tendency in the examination. I wish myself that the study of philosophy should be based chiefly upon ancient philosophy, but I think it is very desirable that modern books should be read in order to give life and meaning to the old books.

3200. As a matter of fact, it has introduced a class of books which were comparatively unknown 15 or 16 years ago, has it not?

Yes, one of those books is Plato, another is the Politics of Aristotle; and besides that, there have been modern books introduced. Mill's "Logic" and Bacon's "Novum Organon" go back rather further than that time, though not much. Besides that, there has been a good deal of reading of Locke, and there has been some reading of Hume and Bentham, and of Sir W. Hamilton and Mansel. Maine's Ancient Law, and Austin on Jurisprudence, are also familiar books to Oxford students of philosophy; and there has been some interest on the part of one or two teachers about German philosophy; I mean about Hegel; but I fail to detect any trace of that in the school papers.

3201. Is the Committee to understand that you fail to detect the influence in any degree of any of the modern German works, either upon the examinations for the schools, or upon the examinations in reference to fellowships?

I should be sorry to say "yes" to that question without further explanation. I should hope, certainly, that there was some influence of German philosophy as well as of other elements of literature to be traced in the University of Oxford; but I do not find that any questions are asked out of the writings of German philosophers in the schools, with the single exception, I would add, of Kant's Logic, which is not really an exception.

3202. I think you have mentioned, in the course of your examination, the non-resident fellowships; do you approve of the general system by which a non-resident fellow draws his emolument from a college, and takes, in fact, practically very little part in the teaching of the college?

No, not as it at present exists. I think that these fellowships have a use, and a very great use. They enable a man to get on in life; but I should limit them to a tenure of six or seven years.

3203. I understood you also to say, in reference to a question which was asked you, that the tests had no effect, as far as you knew, in restraining the divergence of opinion of the University; may I ask you on what that answer was founded; was it on personal experience, or was it on abstract reasoning?

It was on personal experience, judging from the very great divergence of opinion that I have known to exist in the University.

3204. It would be limited, of course, to your own college?

I have seen a great deal of persons in other colleges, as well as in my own.

3205. You think that your experience justifies you in saying that the tests have exercised no effect whatever upon restraining the divergence of religious opinion?

I do not say that the tests have had no effect whatever, for I think that they have had a bad effect.

 3206. I said

Rev. *B. Jowett.*

21st March 1871.

3206. I said in restraining divergence of religious opinion?
Yes. I think that divergence of opinion has not been lessened by them, and would not be increased if they were taken away.

3207. Should I be right in so far summarising that part of your evidence as to say that you would wish to see the existence of general religious influences in the University?
Yes, certainly.

3208. But that you would wish that any teachers of religion, whether Divinity professors or otherwise, should be appointed by the several bodies whose opinions they might be held to represent?
Yes, generally; that was what I said; but I drew a distinction between what it would be immediately desirable to do, and what I thought would be desirable in the remote future.

3209. But, on the other hand, you would not be prepared, and you would not think it desirable, to see them paid by endowments?
I should not. I should not propose to take away the endowments from the Divinity professors which they have at present, but I should not think it desirable to appropriate any new ones to them.

3210. Did you not state that you would limit the duration of an endowment for religious purposes to 50 years as the maximum?
No; I did not say that. What I said was in answer to a question of the noble Chairman's, I think, who asked me what limit I would propose to put to the maintenance of endowments for the purposes to which the property was originally devoted. I said that I would take the limit, given by the University Commissioners, of 50 years, but I did not say, and I did not mean to say, that the religious endowments should only be maintained for 50 years, but that that was the time which I thought Parliament might fix, if expedient, for not objecting to interfere with the intention of the endowment.

3211. That would be the period at which you would wish to set the hands of Parliament free to deal with endowments?
Yes.

3212. In all other respects I understand that you would impose no restriction, either upon professors or upon heads of houses, or upon tutors?
Quite so.

3213. The only guarantee you would look to would be the guarantee of public opinion and their own sense of responsibility?
I would impose no tests.

3214. When you say that you would impose no test, do you mean that you would take any other kind of guarantee short of a test?
I would take no test or declaration.

3215. Is there any guarantee for the teaching of any particular opinion which does not resolve itself into some form, either of declaration or of test?
Yes; I think there is; I do not think the object a desirable one, but I think it is very easy to accomplish it without a test. For example, you may put any endowment in the hands of trustees; take such an instance as the Simeon trustees, there is no test there, but yet, from generation to generation, they seem to go on appointing clergymen of a certain class of opinion.

3216. That, in your opinion, would be permissible?
I think it would be permissible, but not desirable.

3217. You would of course, then, take no guarantee of any sort by legislation for maintaining any particular form of religion, even, say, the religion of the Church of England?
What I said was, I think, that I had no objection to the service of the Church of England being enforced by law in the chapels so long as the Church of England remains established.

3218. Having no objection to the use of the Church of England Service in the chapels, would your objections extend to a declaration of a negative character such as that which was proposed by Sir Roundell Palmer in the House of Commons, that

that all persons in offices of trust as respects teaching should declare that they would teach nothing in opposition to the doctrines and discipline of the Church of England?

Yes, I should object to that. That is a new test, and if enforced strictly, requires not only every tutor but every lecturer, either to teach the doctrines of the Church of England, or to teach nothing. Such a test is more stringent than the existing declaration of conformity, and would be imposed on some persons of whom the declaration of conformity is not required. Other sects of Christians must in fairness receive a similar protection. And however stringent tests are made, you cannot touch the private tutors, who have a great part of the teaching in their hands. No one proposes to impose a test upon bachelors; nor can you prevent anybody from coming down and settling at Oxford. If a man comes and settles here who is a man of force of character, and has the power of teaching, he may exercise great influence, possibly more than any one else in the place. That is another point of view in which tests are ineffectual, and which I think should be considered.

3219. I conclude from your last answer that had Dr. Newman held any office of trust in the University at the time when he left the Church of England you would not have been willing to see his removal from that office; you would have preferred to leave it to the simple effect of public opinion, and to have allowed him to retain whatever power his own individual character and influence might have given him?

Yes, for good or for evil, whichever it might be.

3220. The influence of his character, it must always be borne in mind, would receive greater weight from the chair from which he pronounced his opinions?

That would depend upon the position he was in. We have already separated off the Divinity professors, and if he were a college tutor it would depend upon the college, and upon the Vice Chancellor, whether they were willing to continue him or not.

3221. I think the general tendency of your evidence and the drift of your own opinion, as expressed to us, go to leaving him in the position which he occupied, no matter what it was?

Quite so. As far as it is an evil, I think it would be the lesser of two evils.

3222. Lord *Colchester.*] I wanted to understand exactly your answers as to the scientific professors who you said, though not hostile to Christianity, would object to taking a test declaring their acceptance of the Christian faith; with what view would they make that objection?

For a precise answer I must refer you to themselves; but you would find, I think, that they would object on principle to any test, and they would object to the ambiguity of such a test as that.

3223. Even though it required no sort of declaration as to the sense in which they received the scientific allusions on the Bible?

I do not think that would remove the difficulty.

3224. I think you said there would be no more difficulty in the case of a college composed of persons of different religious opinions than in the case of a school board; did you not make that comparison?

Not exactly in that way; I made some remarks as to the harmonious working of a college, using the school boards as an illustration.

3225. School boards are specially bound by the Act of Parliament passed last year not to teach any denominational formularies in their schools, are they not?

In so far the illustration would not hold.

3226. Because, I think, when it was proposed to do so, it created such a stir that the proposal had to be given up (if my memory is correct) in the progress of the Education Bill last year; you think there would be no fear of dissensions occurring in a college, as to whether they should appoint a Divinity Professor or not, or who should be appointed, if the fellows belonged to different denominations?

I can only say that very great differences of opinion do exist at present in colleges, and that they do not appear to interfere with the fellows living harmoniously together, carrying on the common work of the college, and providing for religious instruction.

Rev. *B. Jowett.*

21st March 1871.

3227. You do not think that any possible extension of the differences, after this Bill was passed, would make any difference in that matter?

I do not think there would be any extension of differences; there is as much difference of opinion as there is likely to be.

3228. You would not be inclined to make any difference between the post-Reformation Colleges and the older ones in their position towards the Church of England?

No, I should not. The post-Reformation Colleges are not many, and they are not rich, and in some case it has been quite an accident, if you look to the intentions of their founders, whether they were Catholic or Protestant; but I do not lay much stress upon that myself. I think that the State has the most entire right to use these endowments in the best way, for the purposes of higher education.

3229. I think you stated that it would be unjust that the Church of England, which forms only about one-half of the nation, should possess the whole of the University; do you think that there would be any objection to retaining less than half the colleges for the Church of England, if there was a large portion, though not a majority, of the nation that desired that some such colleges might exist?

I do not think there would be any injustice in it; but I think it would be very undesirable, and that it would be absolutely impossible to carry out such a proposal in practice. It would be very undesirable, because one of the great advantages of opening the University, is the bringing different classes of persons together. Churchmen will, I hope, learn something from Dissenters, and Dissenters will learn something from Churchmen, and so on. I may mention in illustration of this, what an eminent minister of the Church of Scotland said to me a day or two ago. He said that the relation in which the Dissenting bodies in Scotland stand to the Established Church, is far better than that which exists in England, and this, as he thought, arose from their all having been educated at the same Universities. That is a benefit which I want to secure; but according to the plan now proposed, instead of really opening the University to Dissenters, I should have brought the Dissenters to the place called Oxford, where they might have a portion of the endowments, and be examined like other persons, and that would be all; they would not enter into the spirit or society of the colleges; they would still be educated in Wesleyan, Independent, or Presbyterian seminaries. I would point out further that the plan is impracticable, and could only be carried out by violence. There may be some colleges, in the first instance, which would be willing to be Church of England colleges, possibly, for a time; but they would, perhaps, find that the open colleges gained upon them, and then they would want to give up being Church of England. But there would be absolutely no colleges willing to become Nonconformist, or of any other religion, and they would be all agreed in refusing to make over half their endowments to the State for the support of other denominational colleges.

3230. Do you not think there would be a useful competition between the denominational and the undenominational bodies, each trying to make their own principle work the best?

No, I do not think there would be any effect of that sort produced.

3231. With respect to the 19th clause of the Endowed School Bill of the year before last, I am not quite sure whether it would affect the University much or not; it was to this effect: it exempted from the opening of the governing bodies of endowed schools "any school which is maintained out of the endowment of any cathedral or collegiate church, or forms part of the foundation of any cathedral or collegiate church; or, secondly, any educational endowment, the scholars educated by which are, in the opinion of the Commissioners (subject to appeal to Her Majesty in Council, as mentioned in this Act), required by the express terms of the original instrument of foundation, or of the statutes or regulations made by the founder, or under his authority, in his lifetime or within 50 years after his death (which terms have been observed down to the commencement of this Act), to learn or to be instructed according to the doctrines or formularies of any particular church, sect, or denomination;" in that case, the restrictions upon the appointment of a governing body were retained; I am not quite sure how

how, a similar clause would affect Oxford; I should be glad to have your opinion upon it?

I presume your Lordship means to ask what effect would be produced by it.

3232. What would be the effect if we exempted from the operation of the Act those endowments with respect to which the founder or person, within 50 years after his death, had prescribed a connection with any religious body, which I presume would be the Church of England, at Oxford, and that condition had been adhered to down to the present time; of course, it would not apply to an endowment previous to the Reformation?

It would have a very slight effect, I think. You would probably have a difficulty in making out, respecting some of the post-Reformation founders, that they wished the endowments to be attached to the Church of England. Five-sixths of the endowments at Oxford have come down from a time before the Reformation.

3233. You think it would be objectionable that the remaining one-sixth should be appropriated to the Church of England?

I think it would be objectionable, and there are other difficulties about it as well. I think that it would not be worth doing from any point of view.

The Witness is directed to withdraw.

The Reverend ALEXANDER RALEIGH, D.D., is called in; and Examined, as follows:

3234. Earl of *Harrowby.*] You have, I have no doubt, studied a good deal the question which is now before the Committee in regard to the future constitution of our Universities?

I am sorry to say I have not given much attention to that subject. I have taken an interest in the principle of the thing, but not having had much part or lot in the Universities until lately, I think a good many of us are not technically ready to give answers.

3235. What do you consider the principal evil of the system now existing in our Universities which it is desirable to remove?

I do not know that I could condescend upon any evil as predominant. There are a good many. One certainly is that it divides social life in England in a very undesirable way, and makes us feel almost like two peoples; not that we really feel so, but that there is a tendency that way. I think in no way is it desirable to keep up tests, unless they be of the most general kind; in some form which would not touch the inward movement of individual opinion, which I think it is quite impossible to control.

3236. Do you consider it very much as a hardship that young Nonconformists of talent, who have gone through the Universities, should be deprived of the rewards of talent which are open to others of different shades of belief?

Yes, assuredly I think so.

3237. Do you conceive that for that purpose it is of necessity requisite that every part of the teaching and governing machinery of the Universities should be without any restriction whatever as to religious character?

I think I should go a long way towards that conclusion.

3238. *Will* you take the case which was suggested not long ago of Doctor Newman, an eminent man, as everybody knows, exercising great influence and power, who, before he joined the Church of Rome, was a tutor in a distinguished college, and he might have been a professor of Divinity; should you have felt that it was right in a place of religious education (for I suppose you consider that religion is still a part of the education of a young man, even at the Universities), for him to have been left in that position of authority, and with the opportunity of inculcating his opinions, in which he would have been left if there had been no means of removing him, or in fact of applying some test of opinion, whatever it might be?

It is a very wide question; I am disposed to think that any injurious influence that Doctor Newman might have exercised by the force of his presentation

Rev. *A. Raleigh*, D.D. 21st March 1871.

of his opinions, associated with his high character, would have been almost as small in the Church of England, as it is now out of it. I suspect that Doctor Newman's influence springs very directly from his mind and writings.

3239. But would you have left him in the authoritative position which he might have occupied previously, acting under the sanction, you may say, of University or college authority?

From my point of view, I should not. In our body Doctor Davidson was not left in his position, and I think it was reasonable and right that he should be requested to retire; but in a national institution it seems to be another question. We are a voluntary body sustaining our colleges.

3240. Do you believe that any voluntary body could exist upon the principle that its governing and teaching power was entirely decided by examination at a certain period of life, without any power of removal on account of any opinions which a person might possess. Do you believe that any body of subscribers would maintain an institution based on such principles, with the teachers and governors holding a fee-simple, as it were, in their teaching and governing power which could not be taken away from them?

I question very much whether any body of subscribers would.

3241. Is it right to impose upon an institution which we call national, but which has not been founded by national money, but founded almost entirely by individual bequests, a principle of action which would be so distasteful to the public feeling that no voluntary body would freely adopt it with an expectation of maintaining its existencee?

It seems to me that it would be right to impose what may be desirable on it so long as it is in association with the Established Church in the public Universities, and that it cannot plead rightly to have the same privileges as a voluntary body until itself becomes so.

3242. I am not putting it as a matter of privilege, but I ask, as a voluntary body would not be maintained on these principles because they would not be thought to be right and sound principles of education, is it right to impose upon a national institution principles which no voluntary body would adopt for its own government?

I hardly apprehend what *principles* your Lordship refers to.

3243. I am testing the principle by the supposition that a voluntary body adopted the principles which we are now discussing. I think you agree that no voluntary body would adopt them, and that no voluntary body would exist on such principles?

Yes.

3244. The object in a national University is not to have a bad thing but a good thing, not to have a thing which is distasteful to the public and goes against the public notions of what is fitting for its purpose; is not the appeal to what a voluntary body would do some test of what would be advantageous or right in what is called a national institution?

I think not. Of course all agree that it is desirable to have a good thing, but in the definition of what is a good thing endless differences would immediately begin, and if there is to be a national institution which is to include various forms of goodness, then to give pre-eminent and peculiar privilege to one form of goodness would seem to be an injustice.

3245. *Chairman.*] Would you, therefore, banish them all to make them equal?

I should not like to banish them all, but it is exceedingly difficult to see, according to abstract principles (for which, however, I do not stickle in my own practical action; I do the best possible under the circumstances), from a voluntary point of view, how you are to give state recognition of religion with perfect fairness in the Universities, any more than I hold it is done with perfect fairness in Church matters.

3246. Would you allow me, if I so thought fit, to leave a clerical fellowship to any college, or would you forbid me?

I should certainly allow you to leave it.

3247. If my father left it, would you take it from the Church?

I could

I could not venture to say at what time, or under what circumstances, the interposition should come; but I am quite clear upon the general principle, that the State must always have the power to regulate property of all kinds.

3248. You do not see anything incongruous in the idea of money being left for a National University to sustain the tenets of a particular denomination? Namely, the Church of England?

3249. Any denomination?
I apprehend that these endowments were left to the Church of England when it was more truly the Church of England than it is now, as to numbers, I mean, and therefore that the difference that history and the development of things generally have made, alters the case, and confers the power of interference.

3250. Even with the most modern endowments?
I think it is extremely undesirable to touch endowments lightly, but it seems to me that the general principle must be held.

3251. But are you in favour of banishing religious teaching altogether from a national University, on the ground of the impossibility of choosing fairly any particular sect with which to connect it?
I should hardly describe it as banishing religious teaching. I should think that a most lamentable issue to result; but I do not fear the loss of religious influence, nor need there be the loss of religious teaching, although I could not condescend upon the best methods of securing it.

3252. Do you think if there were four teachers in a boarding school, one a Roman Catholic, another a member of the Church of England, another a Nonconformist, and another a Socinian, they could combine together to give religious teaching to the pupils in the school?
Practically good men do combine much more easily than we are apt to suppose when we look at the thing theoretically.

3253. Earl of *Harrowby*.] Would you think it possible for them to combine in a boarding school in the same house under the same roof?
I should think it very undesirable to try.

3254. Earl *Cowper*.] Have you had any acquaintance with middle class schools?
Not very much.

3255. Have you never met with a school of thoroughly flourishing condition in which the directors were chosen quite irrespective of their religious persuasion?
I think I have heard of them; they are not very numerous.

3256. It is not within your own experience at all?
No.

3257. *Chairman*.] Then if you would not think that that was a desirable thing to institute, do you think it is a desirable thing to legislate for?
I do not wish to have legislation for religion at all; I think the less we legislate about it the better.

3258. But if we first provide that the teachers of a college are to be those who may succeed in a particular literary examination, and then further provide that there shall be no security whatever either for their religious opinions or qualifications, do you not think that we as much as in words provide that there shall be, at times at least, a most extreme divergence of religious opinion amongst them?
I think it is quite possible that the thing might arise, but I do not think it is likely. I think that it would follow the course of our experience in common life. There are possibilities of these things constantly existing around us, but they do not arise.

3259. Do you not think that men of high literary culture are more apt to be persons of exaggerated opinions, especially in early youth, than other people?
Yes, there is then, usually, some efflorescence of opinion and sentiment.

3260. But you think that it is better to face this danger, whatever it is, than

Rev. *A. Raleigh*, D.D.

21st March 1871.

run the risk of even a slight inequality by excluding the more extreme forms of religious difference?

Yes. I do not think the danger is practically much, and I think the real safeguard exists, and can only exist in the general state of religious opinion and life in the country. Whatever rules may be made to secure particular opinions seem to fail sooner or later.

3261. What is your own experience with your own religious connexion. Are there no educational bodies in which precautions are taken to ensure the purity of the religious teaching?

In our colleges we have what we consider to be ample security, which is derived from personal intercourse with the students when they enter. They come always recommended by one of our Christian churches; by one of our ministers and his deacons, and the church, as a church recommends them.

3262. Earl of *Harrowby*.] That is a kind of test, is it not?

It is a kind of test.

3263. *Chairman*.] And a test of a most rigorous character?

It is a test.

3264. And your teachers are not selected unless you know something about them?

Just so.

3265. Earl of *Harrowby*.] You have the power of dismissing teachers?

Yes.

3266. You do not in any of your colleges give a man a fee simple in a tutorship or a professorship, whatever his opinions may be?

No.

3267. *Chairman*.] Would you send your own child to be taught by a person of whom you knew nothing else but that he made Greek iambics better than anybody else?

I should consider the matter on all sides.

3268. You would require some moral and religious qualification in him, would you not?

Most assuredly I should require at least to know that he was not immoral, or professedly irreligious.

3269. And that his opinions did not very widely differ from yours. You would not send him to a Roman Catholic?

I have never insisted very much upon identity of opinion with myself, because I find that my own opinions change, not very violently, but steadily, as life goes on and knowledge increases.

3270. But you would not like to send him to be educated by a Roman Catholic or a Socinian?

Certainly not; not in his religious education.

3271. Do you not think that that opinion would be shared in by the country at large?

I think it would.

3272. Lord *Stanley of Alderley*.] You are aware that there are a certain number of people, whose number is increasing, called Comptists or Positivists at Oxford?

Yes, I hear a good deal said about them.

3273. Should you not object to them as much as to Roman Catholics for the education of your son?

I object to both of those classes of persons as teachers, of course, abstractedly, because I do not agree with them, but I do not know that I should wish to keep my son ignorant of the doctrines of Compte. I should not wish to keep him ignorant of those things. I should wish him as early as possible to be instructed in them, but of course as safely as I could secure.

3274. Lord *Colchester*.] You spoke of the University as a national University; do

do you apply that term to colleges also; do you consider colleges as national institutions?

In a large measure. I think they must be so regarded,

3275. Even though they were founded by private individuals?

They have been put into association with the University.

3276. Then, should you consider all the different bodies affiliated with the London University as national institutions, including, I believe, a good many of the training colleges of your religious bodies?

No; but the two cases are not analogous.

3277. They are connected with the London University?

Yes; but there is only a very simple connection. These colleges at Oxford and Cambridge are planted in the same place as the Universities, and associated altogether upon the same system, and, I suppose, would be controlled in the same way, by the laws of the National Church.

3278. You consider them national institutions, because the Church with which they are connected is the Established Church of the country; you spoke of their connection with the National Church.

Yes; the connection seems to me to be much closer than the connection between a Dissenting body and the London University; but I do not profess to have any very strong opinion about it; I see the difficulties that lie there; and I think it rests with the Legislature and with the Universities themselves to deal with them.

3279. What I rather wanted to ask was, should you consider that a nation containing both denominational and anti-denominational feeling upon this point would be ill represented if there was both a denominational and an undenominational element in the University as represented in different colleges?

I should greatly prefer the undenominational system if it could be obtained; but I could not object to a certain amount of denominationalism, so long as it may be necessary.

3280. There are about four or five colleges in each of the Universities, which have been founded since the Reformation; do you think it would be unjust that the Church of England, which includes about half the nation, should retain the exclusive possession of about four colleges, that is, about one-fifth or one-sixth of the University?

I should not like to give a decided opinion upon that.

3281. You do not say decidedly that you consider it to be unjust?

I am not sufficiently acquainted with the history of particular colleges, and with the nature of their endowments, to be able to speak upon the subject. I simply know the history of both the Universities in a general manner.

3282. If there was such a distinction drawn, both the denominational feeling of the country and the undenominational feeling of the country would be represented concurrently in the Universities, would they not?

It would appear so.

3283. Do you not think, in the divided state of public opinion, that that might be a tolerably fair division?

I should prefer the national Universities to be really national, that is to say, places where the youth of the whole nation might meet without distinctions; in fact, my views would look to a large separation between the religious and the secular, and to the Universities being mainly for the imparting of secular instruction.

3284. Do you not think it would be rather difficult to draw the line between the religious and the secular upon many subjects which approach the border?

Certainly, it would be difficult; in fact, all secular knowledge is religious.

3285. I do not know whether you took much interest in the Endowed Schools' Bill of two years ago. There is one clause in it that I should be glad to have your opinion upon, as to whether it would be unjust if it were applied to the Universities. The 19th clause of that Act says, that "Any school which is maintained out of the endowment of any cathedral or collegiate church, or forms part of the foundation of any cathedral or collegiate school, or any

Rev. *A. Raleigh*, D.D. 21st March 1871.

educational endowment, the scholars educated by which are, in the opinion of the Commissioners (subject to appeal to Her Majesty in Council, as mentioned in this Act), required by the express terms of the original instrument or foundation, or of the statutes or regulations made by the founder, or under his authority in his lifetime, or within 50 years after his death (which terms have been observed down to the commencement of this Act), to learn or to be instructed according to the doctrines or formularies of any particular church, sect, or denomination," should be exempted from all the clauses that throw open the governing body; should you consider that an unfair limitation of the operation of the Bill which is before us. Of course it would have to be slightly modified in its words to be made to apply to the University. My point is whether, if any college happens to retain the provisions made by the founder, or within 50 years after his death, which had never been departed from, connecting it with the Church of England or any other religious body, you would object to such a college being exempted from any general Act abolishing tests?

Very much would depend upon the circumstances. I do not feel that I could give any opinion one way or the other upon that question.

3286. *Chairman.*] I want to ask you with respect to the term "national institution," for I see you lay a great deal of stress upon that phrase, what has caused the colleges to become national institutions; we will take, for instance, Worcester College, which was founded at Oxford 150 years ago; why is that a national institution?

It forms part of what we call the University system.

3287. Do you think then, that having come near the University system as it were, the taint of nationality is attached to it?

The nation, through the Legislature, has always ruled these colleges very much more directly and powerfully than it has ruled or even touched any of our voluntary institutions.

3288. Then any private property with respect to which an Act of Parliament is passed becomes *ipso facto* national?

Everything is national so far as this, that everything must be subject to the power of law and must be made subservient to the common weal.

3289. Your view was, I think, that the word "national" meant more than that, because the effect of the application of that adjective to the Universities and colleges was to make them places where denominational education could not exist?

Yes.

3290. Why was this college, founded out of private funds, subject to this particular incapacity?

Then there arises the question, how far any one has a right to found a college or to institute any organised establishment with the view of conserving a rigid system of opinions; and whether everything of that kind should not be left to the free action of succeeding times.

3291. That of course would apply to Cheshunt College?

Yes, entirely so, and to our chapels.

3292. You do not think because Worcester College happened to be founded in Oxfordshire, instead of in Lincolnshire or Hertfordshire, that therefore it was liable in a special degree to this incapacity which attaches to the word "national"?

No.

3293. You think all your chapels are liable in the same way?

Quite so.

3294. Earl of *Carnarvon.*] Do I rightly understand the general drift of your evidence to be, that you would be glad if you could see your way to it reasonably to have some guarantee for the maintenance more or less of religious teaching in the University?

As a matter of fact I should desire that very earnestly.

3295. And your objections, I think, would be rather to this guarantee assuming a denominational form than a generally religious one?

My objection would be more to the fact of its assuming anything that would give

give it the stamp of imposition and authority from without. I think it ought to be left to the free action of the students themselves. I think the young men at that time of life may, in a large measure, be trusted.

3296. *Chairman.*] Would you have the students elect their tutors?
I meant as to their attendance at any particular place of worship.

3297. Earl of *Carnarvon.*] I was speaking rather of the provision of religious teaching in some form; I was about to ask whether you would agree to any sort of guarantee being taken for such religious teaching being given as would be more or less common to most Christian forms of belief, or whether you would still object to that?
I should not object to that. That is what I should prefer, if that is to be recognised as part of the plan. I do not see why there might not be ample religious privilege and instruction at Oxford, just as at other places, without an express enactment.

3298. How would you get it without any express enactment; to what would you trust?
I am quite sensible of the great difficulty of the case, but that is the ideal that I should set before my mind, that young men of that time of life should not be forced into religious exercises, but that they should be provided for them.

3299. Earl of *Harrowby.*] You mean that they should have the opportunities provided?
Yes.

3300. Then comes the question how to provide the opportunity?
Yes.

3301. Earl of *Carnarvon.*] Do you see any hardship in those who exercise the government of the University, and who, after all, are responsible for the government of the young men, subscribing in some degree to an expression of religious faith in some of the largest and least controverted of the Christian doctrines?
Objecting in general to the principle of tests, of course I should be obliged to do so even in that case, simply because I think it does not accomplish the object. I think the object may be accomplished more effectually in another way upon the whole, and I think you are apt to have an insincerity and injury caused by that means, perhaps, more than any benefit.

3302. Earl of *Harrowby.*] In what other way would you provide for it?
I think we have no absolute security in providing for it, except what arises out of the general state of society.

3303. For the purpose of teaching religion there must be teachers, and the teachers must be maintained. Who is to choose them; who is to maintain them; and, after they have been chosen and maintained, what check is there to be upon their future teaching: these are all questions which have to be solved?
Yes, those are questions which seem to me to lie within the sphere of the persons who provide the religion.

3304. Who are they?
Those who care for it; those who send their sons to be educated.

3305. You would allow persons to provide religious private tutors or teachers, as it were?
I should not like to give any very definite opinion upon that.

3306. You see that these are the difficulties of the case?
I am quite aware of the difficulties of the case.

3307. Merely rejecting one plan does not help you to the solution of the difficulty, the object being confessedly in itself desirable that young men at that time of life should have at least the opportunity of being taught religion if they are not compelled to be taught it?
In rejecting a plan which, in my view, has never succeeded, and cannot succeed, in accomplishing the end, but has produced an injury, I cast the question upon those whom it more nearly concerns. I think we may trust to them. I could not for a moment believe that the Church of England, in its present active state, would not find some way of providing amply for the religious teaching of her own sons.

Rev. *A. Raleigh*, D.D.

21st March 1871.

3308. Earl of *Carnarvon*.] Would not the existence of a Divinity professor, speaking with the authority of a chair in the University, be rather inconsistent with your point of view?

Yes, of course it would. With the extreme voluntary theory it would not consist, of course. We hold that religion is altogether free, and ought not to be endowed, and ought not to be controlled by State machinery.

3309. Earl of *Harrowby*.] But have you no endowments amongst the Nonconformists for religious teaching in various ways?

We have endowments, and we have an opinion amongst us that they are most undesirable for congregations. I say that, although I myself have the benefit of one. I think my friend, Dr. Stoughton, will confirm me in saying that we think the one thing to which they are suitable is the support of our colleges for the payment of that kind of education, the need of which does not present itself so forcibly to the common mind, and which is therefore apt to be neglected.

3310. Unless you swept away all religious endowments, supposing that you had not some power of removal from tutorships, you would give a fee-simple interest in the power of teaching which no voluntary body would submit to; therefore, as long as there are endowments, must there not be some control over the power of teaching connected with them?

Yes, undoubtedly.

3311. Should you think it desirable, as a system, that young men, because they had attained a literary position at 22 or 23 years of age, should be entitled to become members of a governing or teaching body, perhaps not even being present at the place where the governing body was, but living in London or on the Continent, and coming down every now and then to overrule the opinions of those actually engaged in teaching; would any voluntary body submit to that; would they not think that it was totally incompatible with the due discharge of educational functions?

Yes; but no voluntary body has put itself under those circumstances.

3312. But you would not put this great national institution into an inferior position, into a position in which no voluntary body would think suitable for the purpose; you would not foul the object merely for the purpose of calling it national?

No; but in so far as the teaching of religion or Divinity might be concerned, if it is to have the privileges of the voluntary system, it ought to enter into the voluntary condition.

3313. But you are of opinion that young men at that time of life are not such perfect beings that they do not require assistance and religious guidance, or religious instruction, do you?

I think they eminently require it.

3314. And that the laymen require a knowledge of the grounds of their religious belief as much as the clerical body?

Quite as much.

3315. For that purpose some means must be provided; an object is not attained without means?

Assuredly.

3316. I was trying to extract from you in the most friendly way, because it was really with a view to guidance, what were the means by which you would provide in this Bill the opportunities and facilities for the religious teaching of the young laymen who are sent up to the University, or to those who are hereafter to fill clerical positions. I do not see that you give us assistance or guidance in that?

I am so little acquainted with the actual circumstances, that I am quite afraid of seeming to venture an opinion which lies beyond my knowledge and sphere; that is the reason of my hesitation. In general, I might say I do not think there need be very much change as regards the religious service. The chapels, it seems to me, might go on just as they do now, and I do not apprehend that any introduction of Nonconformist students would much alter that.

3317. *Chairman*.]

Rev. *A. Raleigh*, D.D.

21st March 1871.

3317. *Chairman.*] The fear is, not the introduction of Nonconformist students but of unbelieving teachers?

Yes, so I understand.

3318. Earl of *Harrowby.*] What we fear is, unbelieving or Roman Catholic teaching; I mean doctrines that differ so widely that they cannot very well be taught from the same chair?

A complete separation of the religious from the secular, and the leaving of the religious teaching entirely to voluntary action, would practically solve the question, but of course I see that that is a thing quite in the distance. The question is, what is the best thing to do for the present circumstances.

3319. Lord *Colchester.*] With reference to an expression you used just now, are you aware that no student is excluded from the Universities or colleges on account of his religious belief at present?

Yes, I am quite aware of that.

3320. And that he is not excluded from any endowment for the use of undergraduates?

One of my own nephews entered Balliol the other day with distinction.

[The Witness is directed to withdraw

The Reverend JOHN STOUGHTON, D.D., is called in; and Examined, as follows:

Rev. *J. Stoughton*, D.D.

3321. *Chairman.*] THE Committee are anxious to hear from you what your views are with reference to the precautions which it is right to take in educational establishments for the maintenance of purity of doctrine?

That, of course, is a very wide question. I can tell your Lordships what Nonconformists do in connection with their colleges, for the purpose of guarding against theological error in those institutions.

3322. Perhaps you will kindly do so.

If I were to go into detail I should detain your Lordships a very long time, but I may observe generally that we have several colleges; there are six or seven in England, and there are colleges also in Scotland and in Wales; but I will confine myself to the English colleges. All these colleges of ours have trust deeds, and in those trust deeds there are specifications of the truths which are to be taught. Some of them are more precise; others of them are more wide and general. No subscription is required, either from a professor or from a student; but every student who is admitted to our collegiate institutions is required to be a member of a Congregational church, and to come with the recommendation of his pastor. The whole government of these bodies is vested in a committee or council. That committee or council is chosen by constituents. The constituents consist of those who are the subscribers to these institutions. These institutions are supported partly by endowments, as you have been already informed, consisting of bequests made by individuals many years ago.

3323. How many years ago?

There are several different trusts. I have been connected with one of them now for several years, which I suppose is the chief we have in connection with our educational institutions; it is called "Coward's Trust."

3324. Of what date is that?

It is a trust which was established by a rich merchant of London in the early part of the last century. He was an intimate friend of Dr. Doddridge, and he appointed trustees and left a considerable amount of property to be employed by them for educational and other purposes.

3325. What kind of fund does that property now yield annually?

The trustees have never been accustomed to publish the amount of their revenues; they differ from year to year, and are reported to the Ecclesiastical Commissioners. According to the terms of the will, only a portion is devoted

Rev. J. *Stoughton*, D.D.

21st March 1871.

to educational purposes, not more than about 500 *l.* a year; but we have also discretionary powers, and we do add somewhat to the amount which the donor specified should be devoted to educational purposes.

3326. I suppose the trust is kept alive by co-optation, that is to say, by the election of new trustees on the part of the surviving trustees?

The trust is constituted in this way: it was formed by the will of the founder. The four first trustees were Dr. Watts, Dr. Guyse, Mr. Neal, the author of the "History of the Puritans," and another Mr. Neal. I have forgotten, exactly, whether that is the name of the last at this moment; he was a lay gentleman in London. That trust has been perpetuated since by the trustees appointing their successors. The four trustees at the present moment are the Reverend Mr. Binney, the Reverend Mr. Harrison, myself, and a lay trustee, Mr. Wright.

3327. Have the opinions of the trustees varied very considerably, or at all, from that of the original founder?

According to the terms of his will, the doctrines of the Confession of the Westminster Assembly are the doctrines which were specified to be taught, but no subscription is required either from students or from professors.

3328. Or from trustees?

Nor from trustees either; but it is the business of the trustees to see that the terms of the will are carried out.

3329. Earl of *Harrowby*.] That is the business of the Court of Chancery?

The trustees have always conscientiously endeavoured to promote the object which the founder had in view; we are subject of course to the control of the Court of Chancery, if there is any occasion for that Court to interfere.

3330. *Chairman*.] In the exercise of your duties as trustee, you would think it quite right to see that the tutors of any college with which you were connected taught the doctrines of the Catechism, would you not?

Of course we should give rather a liberal interpretation to the will, with regard to all the minutiæ of the Westminster Confession; but, substantially, what is understood by Evangelical religion has been maintained in the trust from the beginning, and is still. We should interfere if a tutor were to teach what we considered to be diametrically opposed to the spirit of the Westminster Confession; by which I mean what is generally denominated by the words Evangelical religion.

3331. If you found that he was teaching either Roman Catholic or Socinian doctrines you would interfere?

Certainly.

3332. You would think that there was no breach of the liberty of the subject, or of any principle of equality involved, in your doing so?

No; but regarding the matter from our point of view, we look upon our trust as being in a perfectly different position from a college at Oxford and Cambridge.

3333. Will you compare this Coward's Trust with Worcester College at Oxford, which was founded at the same time, and show me in what way the revenues of Coward's Trust differ from those of Worcester College?

There is a very great difference between the two cases. We are simply connected with voluntary churches; our ministers are educated for voluntary churches; the whole affair of Coward's Trust has been voluntary from beginning to end, whereas Worcester College forms part of a national University; it comes under its wing; it has advantages in the way of prestige and social position, and so on, arising from that connection.

3334. You think that anything that touches the national University comes under the yoke at once?

I think it must.

3335. Lord *Houghton*.] It pays something for its grandeur?

Yes. My reading of the history of England is this: if you have a Church Establishment, you cannot carry out ecclesiastical discipline. Ecclesiastical discipline and voluntaryism go together. If you have an Establishment with the advantages of an Establishment, and I admit with regard to wealth and position that there are many advantages in an Establishment, that necessarily prevents

your

your exercising discipline. It was so under the Commonwealth, when Presbyterianism and Independency were prevalent.

3336. *Chairman.*] The question is, whether Parliament has a moral right to deal with Worcester College in a manner in which it has not a moral right to deal with Coward's Trust?

I admit that difference between a moral and a constitutional right. Of course Parliament has a constitutional right; how far it has a moral right is quite another question. I do not say anything about that.

3337. Parliament has a constitutional right to cut off our heads?

In a certain sense.

3338. But it is supposed generally to be restrained by certain moral rules; do you think that, within those moral rules, it has a right to take away the endowments of Worcester College any more than the endowments of Coward's Trust from the maintenance of the doctrines which the founder intended to sustain when he left this endowment?

In the case of Worcester College I am not exactly aware at this moment what the statutes and what the nature of the endowments may be; but I think that, being identified with the Episcopal Church, the endowments of that college ought to be held to be for purposes connected with the Episcopal Church.

3339. Of course you would extend that to all foundations of which it might in fairness and justice be said that the founder intended that they should be in connection with the doctrines of the Episcopal Church?

That is, of course, a large question, and I should feel a difficulty, without any qualification, in committing myself to a general principle upon that subject.

3340. I do not suppose that your principle, whatever it was, would be affected by the amount of money involved?

No.

3341. Earl of *Harrowby.*] Nor by the religious tenets that were taught by means of the endowments?

No, certainly not; of course it is a complicated question, as your Lordship is perfectly well aware. Looking back upon the history of England, and seeing how endowments have been dealt with, it might be said that a moral injustice was done when the endowments which had been given for Roman Catholic purposes were applied to Protestant purposes. There was a vast amount of money left for masses, and that money is not spent now for masses. Morally, I think that alienation of it was wrong; constitutionally, I suppose it was right, and people must submit to that.

3342. *Chairman.*] You do not think that because that act of violence was once committed, that it has consecrated the spirit of confiscation for all time?

No.

3343. Going from that principle of law, are you of opinion that it is desirable that provision should be made for the religious teaching of such undergraduates as choose to avail themselves of it.

Certainly, I should say so in a University; but then that may be done without any specific test.

3344. Can it be done without applying either the principle of tests or the principle of selection?

I apprehend that the principle of selection must be adopted.

3345. Then there must be somebody to select?

Yes.

3346. How are you to get at that person who is to select?

The question would arise, do you refer to the teaching in colleges which have distinct endowments of their own, or to teaching in the chairs of professors connected with the University in general?

3347. I would set aside the teaching in the chairs of professors; let us restrict ourselves to the colleges; you say you would accept the principle of selection for the purpose of the maintenance of the purity of belief in teachers; who should select those teachers?

In our case the trustees select.

Rev. *J. Stoughton*, D.D.

21st March 1871.

3348. The colleges at Oxford and Cambridge having been unfortunate enough to accept a deed of incorporation, do not possess trustees; what is to be done in their case?

I do not know, I am sure.

3349. You think that by that act of folly they have put themselves out of the pale?

I think, if people put themselves in that position, they must get out of it as they can. We, as Nonconformists, would not think of putting ourselves in that position. We would not give up the theological government of our colleges to anybody.

3350. Earl of *Harrowby*.] You would not give up the government of your colleges because it would produce a bad result; is not that so?

We, as Evangelical Nonconformists, attach immense importance to theological truth, and therefore we are very anxious to have safeguards.

3351. Is it not very natural that Evangelical Churchmen also should feel anxious in the same manner that you do yourselves, and that they should not be satisfied with the removal of all those securities which you yourselves think requisite?

If I may be allowed to say so, the question is, What is the most effectual safeguard? we say that tests are not effectual.

3352. What is the safeguard you would give us in exchange; admitting that the object is a desirable one, you say that tests are a bad means of attaining the end; what would you give us in exchange for them?

I see a great difficulty in doing anything in connection with the Establishment to secure it, but I see no difficulty in attaining the end in connection with our voluntaryism.

3353. Your remedy would be the abolition of all endowments, would it?

No, certainly not.

3354. Then how would you get the advantage of the voluntary system where there are endowments which are not depending upon the annual feelings and wishes of subscribers?

When I speak of endowments, I speak of voluntary endowments. Voluntary endowments and national endowments are distinct things. We value voluntary endowments in connection with our colleges; we could not get on without them.

3355. We have a great number of voluntary endowments too; do you propose to sweep away all our voluntary endowments?

No, certainly not; I for one would never think of such a thing.

3356. You have a security for your religious teaching by means of a set of trustees who represent the common opinion of the body?

Yes.

3357. You are going to take away, or you wish to take away, from us the security we have, whether it is a good one or a bad one, in the test?

Yes; we wish to see tests removed.

3358. What security do you suggest instead?

There I see a difficulty in connection with the Establishment. The way in which we consider we can secure that object is this; the constituencies of our colleges are composed of men who profess religion, who feel an interest in religion, who are thoroughly decided about it. They elect the governing bodies of our colleges; the governing bodies of our colleges are all religious men, and are men whose heart and soul is in the cause of religion. They look out for persons who sympathise with them, and so, by a sort of *esprit de corps*, we secure our object.

3359. Would you have any objection to our electors being guided and governed, in their choice of teachers of religion, by religious considerations, as yours are?

Certainly not; I should think it would be very desirable.

3360. Then you would not wish to remove from the statutes of our colleges the instruction that in the election to fellowships the interests of religion should be considered?

I should not, certainly, for one.

3361. That is one way of arriving at the same result. Instead of imposing a test upon the person who is elected, instruction is given to those who are the electors as to the objects that they are to keep in view. Would there be anything very objectionable in that mode of proceeding, which is, in fact, very nearly equivalent to the proceeding of the trustees of the Coward's endowments?

The cases are not quite parallel, upon the ground which I have already pointed out. The whole nation claims an interest in your Universities, or rather our Universities, for they belong to the nation. But the whole nation claims no interest whatever in Coward College, or in any other college we have.

3362. Are you prepared, then, to meet the contingency of Roman Catholics or Socinians teaching in positions of authority in our colleges?

I confess there is very great difficulty in that matter.

3363. What security would you provide; ours may be an imperfect security, but as far as it goes it is in the right direction?

I do not know what can be suggested.

3364. You are not surprised that we should be arrested by the difficulty for a moment, and think it of some importance?

Certainly not; but I think there is a fear prevalent just now of heterodox opinions, which is not well founded. I think there is an alarm at the present day with regard to the spread of Popery on the one hand, and of Pantheism upon the other, in the Universities, which is unfounded.

3365. Lord *Stanley of Alderley*.] After this Bill has passed, and many Nonconformists have gone to the Universities, will you not be as much interested as the members of the Church of England are in keeping out free-thinking and infidel teaching?

I apprehend that if the Universities were thrown open, and a very large number of Nonconformists went to them, in course of time we should have theological halls of our own formed, and we should secure teaching in accordance with our own views.

3366. I did not refer to that. I asked whether you would not wish to prevent the teaching of free-thinking doctrines?

Yes, I should be very anxious indeed to prevent it. The question is how is it to be prevented?

3367. So that you are interested equally with members of the Church of England in finding a safeguard?

So far as you have anything in connection with your colleges like our trust deeds, you must look to them, I suppose, as we do, and endeavour to carry them out.

3368. Earl of *Harrowby*.] But Parliament is threatening to interfere with our trust deeds; that is the difficulty?

I see the difficulty that your Lordship has put.

3369. *Chairman*.] Parliament wants to insert in our trust deeds a provision that we shall not have tests, and we say if you object to the principle of tests, we should like to know how we are to provide the safeguards which, in common with all Nonconformists, we regard as of the utmost importance for the purity of the teaching that is given to our young men?

In point of fact, we look to our public opinion as the great safeguard, and you must do the same.

3370. Earl of *Harrowby*.] How could public opinion be brought to bear upon little college cliques, especially if some of the fellows were not residing at the college, but living away from it, and taking no interest habitually in the teaching which was carried on there?

I apprehend that public opinion must influence them; everybody is influenced by public opinion.

Rev. *J. Stoughton*, D.D.

21st March 1871.

3371. You do not rest upon public opinion in the case of your colleges; you take precautions?

Yes; but it is through the influence of public opinion amongst us, as Evangelical Nonconformists, that our precautions operate.

3372. *Chairman.*] But you would not like to turn loose the whole public opinion of England, Church and not Church, and thinkers of all kinds, into the government of your colleges?

Of course not. It would be inconsistent with our principles.

3373. Earl of *Carnarvon.*] Do you expect that one result of the passing of this Bill would be that a good many Nonconformists would take advantage of it, and resort to the Universities?

I apprehend that more and more Nonconformists will go to the Universities every year.

3374. Will not the difficulty which you would shrink from very much with regard to your own college meet you then, that the religious teaching of the University being so absolutely generalised, as it would be under this Bill, your own young men would find themselves in an atmosphere which, at all events, you would not choose for them?

Our young men who were preparing for the Christian ministry amongst us would not receive the theological teaching of the University.

3375. But would not there be a general atmosphere of religionism prevalent at the University, from which it would be very difficult for them to escape?

There is now a great deal, I daresay, that is very objectionable at Oxford. Notwithstanding all the tests and all the precautions you have taken, there is a great deal in existence which is to be deplored by everyone.

3376. As I understand your argument at this moment, your own young men, whether preparing for the ministry or otherwise, are in comparative safety when they go to your colleges: on the other hand, when this Bill becomes law, you yourself look forward to a great portion of those young men frequenting the Universities; will they not consequently be placed in the position in which you least desire to see them placed?

As far as the young men who are educated for the ministry are concerned, we should bring to bear the same public opinion amongst us then that we do now.

3377. How would you effect that?

For example, if we had theological halls, they would be conducted just in the way in which our colleges are now, and we should not have any men appointed to teach Divinity except those who were approved of by us.

3378. Those theological halls of which you spoke, which were to be your guarantees, would rest, of course, upon some form of permanent endowment?

I am speaking of them as possibilities; they might be endowed, or they might be supported by annual contributions. If they were endowed, they must be endowed by voluntary endowments; of course we do not mean the State to endow them.

3379. Being in connection with the University, and being endowed, would they not come under our general law which you laid down a short time since with regard to those colleges of the Established Church which had the misfortune to fall under the wing of the University?

No, I should not think that they would; I should not think that any Divinity lectureships which we might possess would ever stand exactly in the same relation to the University that the professorships or fellowships which are already established there sustain.

3380. *Chairman.*] Would not your halls be in the same relation to the University as our present halls are, and liable, consequently, to some future tests Bill, which would secularise their revenues?

Any arrangement which we might make for the establishment of Divinity chairs, just for our own purposes and for our own use, would stand, I should think, in a very different position from that which is sustained by the colleges of the University, such as Worcester College, for example.

3381. Colleges then, you think, are fairer game than your theological halls would be?

No; I only say, as I said before, that if an institution becomes identified with the Establishment, it must run all the risks of the Establishment; you cannot get the advantages without the disadvantage; now we will not run the risks.

3382. Earl of *Harrowby*.] I do not want to look upon this as a question interesting the Church of England only. Surely you ought not to spoil an institution simply because it is connected with the nation, but you ought rather to look and see if you cannot give to it all the advantages that you think are necessary for your own voluntary colleges?

My belief is that the opening of the Universities, and the influx of a body of Nonconformists into them, would serve to strengthen the interests of religion greatly.

3383. Should you be content to see Dr. Newman, for instance, because he had been a fellow, or a tutor, or a professor of Divinity, still, after he had become the most able of the Romanist Controversialists, professing his new views with impunity, and with all the advantages which his position in the University gave him?

I should not like to express any opinion with regard to individuals; but I would say this: most assuredly I would not in any way countenance teaching by authority, in a national University of this country, the doctrines of Popery, if I could prevent it.

3384. Should there not be a power of control over religious teaching, or else you are open to every possible abuse?

But you cannot control the private teaching, and you could not control the teaching in a private hall which Roman Catholics might choose to establish.

3385. But you can withdraw the public sanction?

Precisely. I would not give the public sanction to it.

3386. If according to the statutes of a college the students were obliged to attend certain lectures, and those lectures were given by a person who had changed his views altogether, and had become a teacher of different doctrines, ought there not to be some relief to the students?

Yes, I should think so.

3387. Earl of *Carnarvon*.] You said just now, very fairly, that we must be prepared with the Establishment to take some of the disadvantages accompanying the advantages of it. I should like to ask you whether, trying to put yourself rather apart from your own position, and looking at the matter from our point of view, you would anticipate that the religious influences of the University, in the widest sense of the word, would suffer from the changes proposed under this Bill?

I am always trying to put myself in the position of other men and to look at things from their point of view; if I were a Churchman I should certainly be a most earnest advocate for the opening of the Universities. I should think that, as tests have hitherto failed, it would be no use depending upon them any longer, and that we must see whether something else cannot be done for the purpose.

3388. Do you contemplate anything as being possible, in a legislative form, that would give us security for the religious teaching and the purity of doctrine?

I should feel very great difficulty about what was to be done, but I should feel that tests would be of no use.

3389. Earl of *Harrowby*.] Would you object to instructions being given to the electing body to consider the interests of religion?

I would use moral influence of every kind. If I were a churchman I would have recourse to persuasion, appeal, and the influence of public opinion in favour of certain views.

3390. Earl of *Carnarvon*.] Do you think that such a religious influence as exists at present in the Universities would be affected one way or the other by the passing of this Bill, or do you think it would remain just as it is?

I am scarcely in a position to pronounce an opinion upon that point; it might be presumptuous in me to express an opinion upon the subject. I have conversed with University men both at Oxford and Cambridge frequently upon the sub-

Rev. *J. Stoughton*, D.D.

21st March 1871.

ject, and my impression, from what I have gathered in conversation with them, and from my own observation, is, that the passing of this Bill, so far from damaging the interests of religion, will, in the long run, tend to promote them.

3391. Have you contemplated what the effect would be that would be produced in the minds of the Nonconformists who will attend the University, either under the present circumstances or under the circumstances which would be developed by this Bill, as apart from those training for the ministry?

There are several Nonconformists at Cambridge, and there are many at Oxford. I have not the pleasure of being much acquainted with those who are at Oxford. I know some of those who are or have been at Cambridge, and they speak highly of the religious atmosphere which exists there: they themselves also are producing, I believe, a moral and religious influence which is beneficial.

3392. Do you think that there would be any difference in the effect produced upon their minds when they attended the University as a considerable body, instead of, as now, attending it as a very small minority?

No, I apprehend not; I should rather hope that the more numerous they were the more beneficial would be the influence received and given.

3393. Lord *Colchester*.] Will you explain exactly the sense in which you used the terms which you often referred to, of "voluntary endowments" and "national endowments," and how you would apply either of these terms to the endowment of the University or the colleges. I did not understand the distinction you drew between them?

There are, I suppose, some of the endowments of the University which must be considered as national endowments, inasmuch as the State has endowed the Episcopal Church of England with them. The endowments having, in the first instance, been left for other purposes, must now be considered as national endowments, and not as voluntary endowments, on the part of the original donors, because they are appropriated to another purpose altogether than that for which the donors bestowed them.

3394. What would you say as to post-Reformation endowments?

Those endowments which have been acquired from bequests since the Reformation I should put in a different category.

3395. Should you object to such endowments being retained by the Church of England, whether that ceased to be the Established Church or not, while the others were what you would call nationalised?

Upon such a question it might be presumptuous, perhaps, in me to express any opinion, as it would be only my individual opinion, and my individual opinion would not carry any weight with it.

3396. Do you see any objection on the ground of justice, if the Church of England includes about half the nation, that it should retain rather less than half the endowments of the University?

My general view with regard to endowments is, that they should be appropriated to the objects for which they were intended by those who instituted them.

3397. You are aware that, to a great extent, the endowments of the Universities, and still more of the colleges, were not established out of money derived from public sources?

I am aware of that.

3398. You have stated that, in the case of voluntary endowments, securities might be taken which could not be taken in the case of national endowments; would you apply that to the post-Reformation colleges, or the post-Reformation endowments, formed by individuals who wished that those endowments should be devoted, as the usual phrase is, for the support of religion and learning?

I have always been accustomed to look at the endowments made since the Reformation, that is to say, the endowments strictly of the Episcopal Church, as being in a very different position from the endowments which have been dealt with by Parliament, and which are now applied to purposes for which they were not originally intended.

3399. Might it not fairly be contended that the University was the more truly national, if each of the parties into which the nation was divided were represented

sented in it, the undenominational party having some of the endowments, and the denominational party having others?

Yes; if I understand your Lordship's question aright, it would seem to me to be fair that there should be some representation of the denominational party, and some of the undenominational party.

3400. In fact, the absolute ascendancy of the undenominational principle would render the Universities less truly national than what I suggested, would it not, because it would not represent the feelings of both sections of the nation; should you deny that that might be fairly contended?

I think it might.

3401. Earl of *Harrowby.*] I think we clearly see that you would look with regret at anything which really banished religious teaching from our Universities?

Unquestionably I should.

3402. You are not one of those who would insist upon our Universities being made places of merely secular instruction?

No, I should not; but I must say, as I said before, the means are another question altogether.

3403. *Chairman.*] We only differ as to the instrument, not as to the end?

Yes, precisely.

3404. Earl of *Harrowby.*] Do you not believe that the voice of the country last year, with regard to elementary education, pronounced very loudly in favour of religious teaching not being separated and set apart from secular teaching.

That is, of course, going into another subject, and there are great diversities of opinion, as your Lordship is aware, amongst Nonconformists upon that question.

3405. Having regard to the elections to the School Boards, and to the general tone prevalent throughout the country with regard to that subject, you would infer, would you not, that the general desire was that whatever the religious teaching was, it should not be set aside and eliminated from the common teaching of our schools?

I should say, generally, that Nonconformists are exceedingly anxious for a religious element in education. The only difference between them is this: that some think the religious element had better be introduced apart from the secular element, while others think that it should be connected with it.

3406. Some think that they can catch the pupils in separate nets afterwards; others think that the nets will not be wide enough to catch them all?

Yes.

3407. *Chairman.*] Did I understand your view to be that all tests were objectionable, or only those tests which tended unduly to narrow the area of selection?

I would rather say that tests of all kinds seemed to me to be useless; they do not accomplish their object. Men have all kinds of ways of getting out of them. It does not seem to be possible to catch men by tests.

3408. Because people's consciences are too elastic?

I do not know that I should say that, because men may be conscientious notwithstanding they do things which I should not deem to be right. I should not like to judge another man, and to say that he has not a conscience because he does what I should not like to do.

3409. You think that the state of things in the Universities shows that several people have done things which you would not like to do?

Certainly.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned *sine die.*

APPENDIX.

LIST OF APPENDIX.

Appendix A.

Paper handed in by Mr. Hartog, 3 March 1871: PAGE.
List of some of the Persons who have taken Honours within the last few Years, who have been excluded from Fellowships by objecting to the Tests - - - - - - 337

Appendix B.

Paper handed in by the Rev. Henry Allon, 14 March 1871:
Deed of Trust of the College at Cheshnut - - - - - - - - - - 338

Appendix C.

University Tests Bill:—Declaration transmitted to the Prime Minister in February 1870 - 349
Petition presented to the House of Commons on the 23rd May 1870 - - - - 351
Petition of the Chancellor, Masters, and Scholars of the University of Oxford to the House of Commons, dated 2 June 1863 - - - - - - - - - - - 353

Appendix D.

New College, October Term, 1870 - - - - - - - - - - - 360

Appendix E.

Paper handed in by Mr. Hume:
Analysis of Appendix to Report of the Lords Select Committee on Universities Tests Bill, 1870, as regards Fellowships and College Officers - - - - - - - 361

APPENDIX.

APPENDIX A.

PAPER handed in by Mr. *Hartog*, 3 March 1871. Appendix A.

LIST of some of the PERSONS who have taken HONOURS within the last few Years, who have been excluded from Fellowships by objecting to the Tests.

	MATHEMATICS:	
1860	Stirling (Trinity)	Senior.
1861	Aldis, W. S. (Trinity)	Senior.
1863	Aldis, J. A. (Trinity)	Fifth.
1866	Aldis, T. S. (Trinity)	Second.
	Toller (Christ's)	Seventh.
1869	Hartog (Trinity)	Senior.
1871	Hopkinson (Trinity)	Senior.
	Spence (Pembroke)	Third.
	CLASSICS:	
1868	Wilkins (St. John's)	Fifth.
	Reed (Trinity)	Thirteenth.
	Tarring (Trinity)	Fourteenth.
1869	Warr (Trinity)	Third.
1870	Davis (Christ's)	Twelfth.
	NATURAL SCIENCE:	
1865	Goodman (St. Peter's)	Senior.
	MORAL SCIENCE:	
1868	Armitage (Trinity)	Second.
	LAW:	
1869	Fitzgerald (Christ's)	Second.

Appendix B.

PAPER handed in by the Rev. *Henry Allon*, 14 March 1871.

COPY

DEED OF TRUST OF THE COLLEGE AT CHESHUNT.

Appendix B.

THIS INDENTURE made the First day of February, in the Thirty-third year of the reign of our Sovereign Lord George the Third by the Grace of God, of Great Britain, France, and Ireland King, Defender of the Faith, &c., and in the year of our Lord One thousand Seven hundred and Ninety-three, BETWEEN Thomas Long Sheen, of the parish of St. Andrew, Holborn, in the county of Middlesex, brazier, of the one part, and James Oldham Oldham, of the said parish of St. Andrew, Holborn, Esquire, Mathias Peter Dupont, of Aldersgate-street, in the City of London, innholder, Thomas Weatherill, of Coldbath-square, in the parish of St. James, Clerkenwell, in the said county of Middlesex, gentleman, William Hodgson, of Lothbury, in the said City of London, merchant, William Langston, of Gutter-lane, in the said City of London, wholesale haberdasher, Henry Batley, of Seward-street, in the parish of St. Luke, in the said county of Middlesex, druggist, William Astle, of Portpool-lane, in the said parish of St. Andrew, Holborn, leather seller, and John Lloyd, now or late of Reading, in the county of Berks, Esquire, of the other part. WHEREAS the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and divers other persons, did, sometime on or about the Seventeenth day of October, in the year of our Lord One thousand Seven hundred and Eighty-seven (at the request, and under the patronage of the late truly pious and Right Honourable Selina, Countess Dowager of Huntingdon), form themselves into a society called the *Apostolic Society*, and did open and set on foot a subscription in order to raise a stock or fund, for the founding and establishing a College or Seminary for the education and instruction of truly pious and well disposed young men whom the Lord should call to the work of the ministry of the Gospel of Christ, and for the future and permanent support thereof after the decease of the said Countess of Huntingdon. AND WHEREAS the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and others, did continue to collect and receive donations, and subscriptions from pious, benevolent, and charitably disposed persons towards the establishment, support, and maintenance of the said intended College or Seminary until the month of February, One thousand Seven hundred and Ninety-two, when the whole of their stock so collected and received, amounted to the sum of One thousand pounds. And the said James Oldham Oldham, as well at the particular request of the said late Countess of Huntingdon, as by the unanimous desire and request of the said other persons, was appointed the treasurer of the said society. AND WHEREAS the said James Oldham Oldham, at the request, and with the consent and approbation of the said Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, did purchase of and from the Rev. Herbert Mayo, Doctor in Divinity, and Anne Shaw, widow, the messuage, tenement, or dwelling-house, with the appurtenances, and the several closes, fields, or parcels of land thereunto belonging, situate at Cheshunt, in the county of Hertford, and hereinafter more particularly mentioned and described, at or for the price or sum of Nine hundred and Fifty pounds, and the same by indenture of bargain and sale of four parts enrolled in the High Court of Chancery, bearing date the Twenty-ninth day of February, One thousand Seven hundred and Ninety-two, and made or mentioned to be made between the said Herbert Mayo of the first part, the said Anne Shaw of the second part, the said James Oldham Oldham of the third part, and the said Thomas Long Sheen of the fourth part, were duly conveyed to the said Thomas Long Sheen, his heirs and assigns, in trust nevertheless for the said James Oldham Oldham, his heirs and assigns for ever. AND WHEREAS the said sum of Nine hundred and Fifty pounds, so paid by the said James Oldham Oldham, for the purchase of the said

said messuage, tenement or dwelling-house, closes or parcels of land and hereditaments as aforesaid, was the proper money of the said society, which he the said James Oldham Oldham doth hereby acknowledge. AND WHEREAS the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, are desirous of having the said messuage, tenement, or dwelling-house, closes or parcels of land and hereditaments conveyed to them upon the trusts and for the intents and purposes hereinafter mentioned. AND WHEREAS the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, have continued, and do still continue, to collect and receive the subscriptions and donations of benevolent and charitably disposed persons towards the establishment, maintenance and support of the said College or Seminary, and their stock or fund now amounts in the whole to the sum of Five hundred pounds, which they the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, do agree to stand possessed of and interested in, and to pay, apply, and dispose thereof in and upon the trusts and for the intents and purposes hereinafter mentioned. NOW THIS INDENTURE WITNESSETH, That for and in consideration of the sum of Five shillings of lawful money of Great Britain to the said Thomas Long Sheen in hand well and truly paid by the said James Oldham Oldham, Matthias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, at or before the sealing and delivery of these presents, the receipt whereof he the said Thomas Long Sheen doth hereby acknowledge. He the said Thomas Long Sheen (at the request and by the direction and appointment of the said James Oldham Oldham, testified by his being made a party to and sealing and delivering of these presents) HATH granted, bargained, sold, aliened and confirmed, and by these presents DOTH grant, bargain, sell, alien, and confirm unto the said James Oldham Oldham, Matthias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, their heirs and assigns, ALL that messuage, tenement, or dwelling-house, situate, standing and being in Cheshunt aforesaid, at a certain place there, called Cheshunt Church Gate, fronting towards the west on Church-street, abutting north and north-east on the Green Dragon Inn, and the yard belonging thereto, the property of Mr. Brett, now in the tenure of J. Ruskin, and south on land belonging to John Delamere, Esquire. And all that close of pasture-ground adjoining thereto at the north-west corner thereof, containing by estimation three acres or thereabouts, abutting north on the said Green Dragon-yard, and on land belonging to Elizabeth Henshaw, widow, in the tenure of —— —— Auberry, south-east on the New River, and west on land of the said John Delamere, the south wing of which said dwelling-house, with the coach-house, stabling, and out-buildings, were erected by John Gwilt, Esquire, deceased, and the other part of which said dwelling-house, with the said close of ground, were purchased by the said John Gwilt of Philip Bulling, of Cheshunt aforesaid, peruke maker, and the same were duly conveyed to him, his heirs and assigns, by indentures of lease and release, bearing date respectively the Second and Third days of June, One thousand Seven hundred and Forty-two, and which said close of ground was afterwards converted by the said John Gwilt into a garden and orchard, and has been since occupied as such with the said messuage. And also all that field, close, or parcel of meadow or pasture land, formerly a garden or nursery, with the barn and stable standing at the south-east corner thereof, situate in Cheshunt aforesaid, containing by estimation seven acres, more or less, now or lately called the Six-acres Field, or River or Bridge Field, abutting east on land heretofore in the possession of Robert Duck, but now belonging to Richard Wright, and in the tenure of Henry Fant, south on a lane called Water-lane, leading from Turner's Hill to Cheshunt Church, west and north-west on the said New River, by which it is divided from the said garden and orchard, and north on the said land of the said Elizabeth Henshaw, which said last-mentioned field or close of arable land (whereon a messuage or tenement, shop and forge, occupied by William Cordell, farrier, and the said barn and stable formerly stood, but which said messuage, shop, and forge were afterwards pulled down by the said John Gwilt) were purchased by him the said John Gwilt of Timothy Davis, Eleanor his wife, and William Yate, and the same were duly conveyed to him, his heirs and assigns, by indentures of lease and release bearing date respectively the Twenty-seventh and Twenty-eighth days of April, One thousand Seven hundred and Fifty-seven, which said messuage, tenement, or dwelling-house, intended to be hereby bargained and sold with the out-buildings, garden, and appurtenances, are now occupied as and for a College or Seminary for the education and instruction of pious young men for the work of the ministry of the Gospel, and which said last-mentioned field, close, or parcel of land, with the barn and stable thereon, were late in the occupation of Edward Blanks as tenant thereof, but is now in the occupation of the Reverend Isaac Nicholson, the president of the said College or Seminary, together with all houses, out-houses, edifices, buildings, barns, stables, coach-houses, court-yards, orchards, gardens, closes, hedges, ditches, mounds, fences, mines, quarries, delfs, ways, waters, water-courses, liberties, privileges, jurisdictions, profits, commodities, emoluments, easements, advantages, and appurtenances whatsoever to the said messuage, tenement or dwelling-house, garden, orchard, close or parcel of land, hereditaments, and premises hereby bargained and sold. Together also with all fixtures and things belonging or in anywise appertaining or annexed thereto. And the reversion and reversions, remainder and remainders, yearly and other rents, issues, and profits of the said hereditaments and

Appendix B.

premises, and every part and parcel thereof. And all the estate, right, title, interest, use, trust, possession, property, profit, claim, and demand whatsoever, both at law and in equity, of him the said Thomas Long Sheen, of, in, to, or out of the said hereditaments and premises hereby bargained and sold, or any part or parcel thereof. And also all deeds, evidences, and writings touching or concerning the said messuage, tenement, or dwelling-house, garden, and orchard, close or parcel of land, and all and singular other the premises hereby bargained and sold, or any part or parcel thereof solely. And true attested copies of all such other deeds, evidences and writings as relate to the title of the said premises, or any part thereof, jointly with any other hereditaments which are now in the custody or power of the said Thomas Long Sheen, or which he can or may get or procure without suit at law or in equity. TO HAVE AND TO HOLD the said messuage, tenement, or dwelling-house, garden, and orchard, close or parcel of land, and all and singular the hereditaments and premises hereinbefore mentioned and intended to be hereby bargained and sold, and every part and parcel thereof with the appurtenances thereto belonging, unto the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, their heirs and assigns, to the only proper use and behoof of the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, their heirs and assigns for ever. YET NEVERTHELESS upon the several trusts and confidences, and to and for the several intents and purposes, and under and subject to the several limitations, conditions, provisoes, and agreements hereinafter limited, expressed, contained, and declared, of and concerning the same (that is to say), upon trust that they the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, and the survivors and survivor of them, and the heirs and assigns of such survivor; and all future Trustees to be appointed in the manner hereinafter mentioned, do and shall for ever hereafter permit and suffer the said messuage, tenement, or dwelling-house, garden, orchard, hereditaments, and premises, to be used and occupied as and for a College or Seminary for the education and instruction of truly pious young men, whom the LORD shall please to call, and who may be desirous of devoting themselves to the work of the Ministry of the Gospel of JESUS CHRIST, at home or abroad, and to be duly qualified with sufficient learning and instructions suitable and proper for such an important office, according to the plan, and subject to the rules, regulations, and restrictions already established, or hereafter to be made and established for that purpose. AND the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, do hereby severally and respectively agree and declare that they, and the survivor or survivors of them, and the executors, administrators, and assigns of such survivor, and all future Trustees to be appointed in the manner hereinafter mentioned, shall and will, now and at all times hereafter, stand possessed of and interested in the said stock or principal sum of Five hundred pounds, so collected and received by them as donations and subscriptions from divers benevolent and charitably disposed persons, and of all other sum or sums of money hereafter to be collected and received by them or any of them as legacies, donations, and subscriptions as aforesaid. And also of the interest, dividends, and annual produce thereof, in trust for, and shall and will pay, apply, and dispose of the interest, dividends, and annual produce thereof, or all or any part of the principal thereof, as occasion shall require, and as they the said Trustees, and the survivors and survivor of them, and all future Trustees to be appointed in the manner hereinafter mentioned, or the major part of them for the time being, shall in their discretion think proper in and towards the establishing, maintaining, supporting, and perpetuating the said College or Seminary according to the plan, and subject to such rules, regulations, and restrictions as are hereinafter more particularly mentioned and referred unto for ever hereafter, or so long as the laws and Statutes of this Realm shall tolerate or permit the same. And also for and towards the maintenance, finding, providing, and keeping of one or more sufficient and qualified person or persons to be president or presidents, tutor or tutors of the said College or Seminary, who shall be employed in teaching and instructing all and every the young men who shall be admitted into the said College or Seminary in all useful learning and knowledge, agreeably to the rules and orders already established, or hereafter to be established by the said Trustees, or the major part of them for the time being for that purpose. And also upon this further trust, intent, and purpose that they the said Trustees for the time being, or the major part of them, shall and may from time to time, when and immediately after any sum or sums of money shall be collected and received by them, or come to their hands as rent, interest, dividends, or produce of property vested in them for the purposes aforesaid, or as legacies, donations or subscriptions for and towards the support and maintenance of the said College or Seminary, and until the same shall be wanted to be paid and applied towards the support and maintenance thereof, according to the trusts thereof in these presents contained, to place and invest all and every the said sum and sums of money which shall be so received by them, or come to their hands as aforesaid, in the public funds, or in the purchase of Parliamentary Stocks, or upon Government Securities, at interest in the names of such four of the said Trustees as shall be from time to time nominated for that purpose by the majority of all the said Trustees for the time being. AND IT IS hereby declared, That such four Trustees in whose names such stocks, funds, and securities shall be placed, shall, immediately after the transfer of such stocks, funds, and securities, give a declaration under their hands to

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the other Trustees, by which they shall acknowledge that all sums then placed or afterwards to be placed in their names were so placed in trust for the *Apostolic Society*. AND IT IS hereby further declared, That when and as often as it shall happen that two of the said four Trustees in whose names the said stocks, funds, or securities shall be placed, shall be dead, or shall resign, or be removed from being a Trustee of the premises for any of the causes hereinafter mentioned, Then and in such case that such of the said Trustees as shall survive, and also such of the said Trustees as shall resign or be removed from the said Society, shall transfer all and singular the stocks, funds, and securities standing in their names into the Names of the two old Trustees who shall be surviving, and shall not have resigned or been removed, and into the Names of the two others of the said Trustees who shall be so nominated for that purpose by a majority of all the said Trustees. AND IT IS hereby declared and agreed by and between the said parties to these presents, That it shall and may be lawful to and for the said four Trustees for the time being, at the request and by the direction of a majority of all the said Trustees for the time being, and they are hereby required so to do, from time to time, to call in all or any part of the principal money so to be invested or placed out, and again to invest, transpose, and place out the same or any part or parts thereof at interest upon any such like new or other funds, stocks, or securities. AND that the interest, dividends, and profits which shall at any time or times arise or be produced from such stocks, funds, and securities, shall, from time to time be paid and applied, together, with the whole or any part of the said principal money, if necessary, towards the maintaining, supporting, and perpetuating the said College or Seminary, according to the plan hereinbefore mentioned, and the original intention of the said institution. AND IT IS hereby further declared and agreed by and between the said parties to these presents, in conformity to the intention of the said late Countess of Huntingdon, and in order to provide for the government and regulation of the said College, that they the said Trustees, and all future Trustees to be appointed in the manner hereinafter mentioned, do and shall, from time to time, as often as there shall be occasion, elect, nominate, and appoint, by a majority of voices, one or more sufficient and qualified person or persons to be president or presidents, tutor or tutors, of the said College or Seminary, to teach and instruct the young men who shall be admitted as students into the said College or Seminary as aforesaid, agreeable to the rules and orders already established, or hereafter to be established, by the said Trustees, or the major part of them for the time being, for that purpose. And that it shall and may be lawful for the said Trustees, and for all future Trustees of the *Apostolic Society*, upon the election of any president or tutor of the said College to call in to their assistance one or more of the principal ministers serving in the connection of the late Countess of Huntingdon, or any other minister or ministers, whom the said Trustees for the time being shall think proper, for the purpose of examining into the learning, abilities, and other qualifications of such person or persons as shall offer themselves to become presidents or tutors of the said College, and that the said Trustees for the time being shall, after such examination as aforesaid, and after consulting the said minister or ministers respecting the several qualifications of the persons so offering themselves to become presidents or tutors of the said College, proceed to the election of a president or tutor by a majority of voices of the whole number of Trustees for the time being, and no person or persons shall be appointed the president or presidents, tutor or tutors of the said College or Seminary as aforesaid, unless immediately before such election, nomination, and appointment, he shall solemnly declare, in the presence of the said Trustees, or the major part of them for the time being, his entire abhorrence and renunciation of all Pelagian, Arian, Socinian, Antinomian, and Arminian doctrines and principles. And also shall, previously to his or their appointment, assent to, profess, and embrace, *ex animo*, and sign, and subscribe the doctrines comprised in the Fifteen Articles, or Confession of Faith, contained in the Schedule hereunder written. And upon this further trust, intent, and purpose, that they the said Trustees and all future Trustees to be appointed in the manner hereinafter mentioned, shall yearly, from time to time, and at all times hereafter, satisfy, pay, and allow unto the president or presidents, tutor or tutors, and all other officers which the said Trustees, or the major part of them for the time being, shall think proper to appoint of the said College or Seminary for the time being, such salary and sums of money, and to be paid at such days, times, and places, as shall be concluded and agreed upon by the said Trustees, or the major part of them for the time being, by and out of the said stock or principal sum of Five hundred pounds, or the interest or dividends thereof, and the legacies, donations, annual rents, and subscription, from time to time, to be collected and received by them, and which shall come to their hands for the uses, intents, and purposes aforesaid. And in case any president or presidents, tutor or tutors, so to be elected, nominated and appointed as aforesaid shall teach, preach, or propagate any Pelagian, Arian, Socinian, Antinomian, or Arminian doctrines in the said College or Seminary, or any doctrines contrary to those comprised or contained in the said Fifteen Articles or Confession of Faith, or shall prove immoral in his or their conduct, or be negligent or inattentive to his or their duty as a president or presidents, tutor or tutors of the said College or Seminary, or shall neglect or refuse to comply with the rules and orders thereof, already made or hereafter to be made for the government and regulation of the said College, or shall at any time or in anywise act or behave and demean himself or themselves so as to incur the displeasure and disapprobation of the said Trustees, or the major part of them, for the time being. That then and in such case, and so often it shall and may be lawful to and for the said Trustees and their successors, Trustees in the premises, or the major part of them for the

Appendix B.

time being, to dismiss, deprive, remove, and expel such president or presidents, tutor or tutors from the said College or Seminary. AND FURTHER, that the said Trustee, and all future Trustees to be appointed in the manner hereinafter mentioned, when and as often as the said College or Seminary shall become vacant, destitute, void, and without a president or presidents, tutor or tutors, either by removal, departure, death, or by any other ways or means whatsoever, shall and may, with all convenient speed elect, nominate, and appoint in manner aforesaid one or more other sufficient and proper person or persons to be president or presidents, tutor or tutors of the said College or Seminary in the room and stead of him or them so removed, departed, or deceased, as aforesaid. And upon this further trust that they the said Trustees, and all future Trustees to be appointed in the manner hereinafter mentioned shall and will, from time to time, and at all times hereafter elect by a majority of voices such a number as is hereinafter mentioned of pious, Godly young men to be students in the said College or Seminary in manner hereinafter mentioned, who give some evident reason to believe they have experienced a saving work of Grace upon their hearts, and are made willing to give up themselves to the LORD JESUS CHRIST to serve in the Ministry of the Gospel either at home or abroad, and either in the late Countess of Huntingdon's connexion or otherwise, as they shall afterwards think proper. And that such young men shall be boarded and lodged in the said College or Seminary, and shall continue four years at the most, or two years at the least in the said College after they shall be admitted as students as hereinafter mentioned, and before they shall be sent out as ministers to supply any place of worship not in the vicinity of the said College, except they or any of them shall be adjudged by the said Trustees, or the major part of them for the time being, to be sufficiently qualified to be sent out before that time. AND, That there shall always be kept in the said College or Seminary as great a number of pious Godly young men as the fund and finances of the said Trustees for the time being, or their successors' Trustees in the premises, will support and maintain, if so great a number properly qualified, in the judgment of the said Trustees, shall apply to be admitted therein. And upon this further trust, that they the said Trustees, and all future Trustees to be appointed in the manner hereinafter mentioned, shall and will, from time to time, and at all times hereafter, elect, by a majority of voices, such a number of young men as they in their discretion shall think proper to be admitted and received into the said College or Seminary as probationers for the space of three calendar months. And previous to such election the said Trustees shall or may call to their assistance one or more of the principal minister or ministers serving in the connexion of the late Countess of Huntingdon, or any other minister or ministers whom the said Trustees for the time being shall think proper, for the purpose of examining into the pious and gracious dispositions, learning, abilities, and other qualifications of such young men. And that, as soon as conveniently may be after the expiration of the said three months time of trial or probation shall be expired, the said Trustees, or the major part of them for the time being, with the assistance of the chief president of the said College or Seminary for the time being, or any one or more of the principal minister or ministers of and serving in the late Countess of Huntingdon's connection, or any other minister or ministers whom the said Trustees for the time being shall think proper, shall examine such young men as to their having experienced a saving work of grace upon their hearts, and their motives for entering into, and their abilities for the work of the Ministry of the Gospel, and as to all such other proper and necessary points, matters, and things as they shall in their judgment think requisite and expedient to examine into. And if, after such examination as aforesaid, the said Trustees, or the major part of them for the time being, shall be of opinion that such probationers, or any of them, are properly qualified to be admitted as students into the said College or Seminary, they shall and may thereupon admit such of the probationers as shall be so qualified to be students in the said College or Seminary, according to the plan and intention of this institution. But such probationer or probationers, after his or their examination, and before he or they shall be finally entered and admitted as a student or students into the said College or Seminary, shall, in the presence of the said president or presidents, tutor or tutors, and the rest of the probationers and students of the said College or Seminary, freely, without mental reservation, and without compulsion, or any sinister or worldly selfish view, solemnly, jointly and severally declare that they do believe, confess, and subscribe from their hearts, as essential parts of the Christian Faith, the doctrines contained in the said Fifteen Articles. AND IT IS hereby further declared, That the said student or students, when and as he or they shall have finished his or their studies, according to the time and plan allowed and prescribed by this institution, and in case he or they shall then have attained the age of twenty-one years at least shall be ordained by two or more of the principal ministers serving in the connexion of the said late Countess of Huntingdon, or such other ministers as the said Trustees, or the majority of them for the time being shall appoint, if such student or students shall request and desire the same, such student or students having previously obtained a testimonial or certificate under the hands of the chief president of the said College or Seminary for the time being, and the said Trustees, or the major part of them for the time being, not only of the sufficiency of his learning and abilities, but also of his good behaviour and moral conduct during his residence in the said College or Seminary, and immediately before such ordination in the said late Countess of Huntingdon's connexion, such student or students shall again sign and subscribe the said Fifteen Articles or Confession of Faith. But if such student or students shall rather choose or prefer to be ordained and serve in the Established Church or other Churches of CHRIST, it shall

and

and may be lawful for him or them, and he or they shall be at full and free liberty so to do in case there shall be an opening or openings in Providence for his or their admission therein. AND in case any probationer or probationers, student or students so to be admitted into the said College or Seminary as aforesaid, shall, after such his or their admission, become erroneous in his or their religious principles, and shall profess, teach, preach, or propagate any Pelagian, Arian, Socinian, Antinomian, or Arminian doctrines, or any other doctrines contrary to those comprised and contained in the said Fifteen Articles or Confession of Faith, or shall prove immoral in his or their conduct, or shall neglect and obstinately refuse to comply with the rules and orders of the said College or Seminary, That then and in such case, and so often it shall and may be lawful to and for the said Trustees, or the major part of them for the time being, to dismiss, expel, and remove such probationer or probationers, student or students, from the said College or Seminary. AND that the said Trustees, or the major part of them for the time being, shall, at their first monthly meeting in every year, nominate and appoint two of the said Trustees as inspectors or visitors of the said College or Seminary, who shall go to the said College or Seminary twice or oftener in every year, either with or without a minister, as they shall think proper, and inspect and superintend the affairs and concerns thereof, and examine and see that the same is managed and carried on according to the original plan, foundation, and intention of the said institution. And as the present Trustees generously give up their time and trouble in managing, superintending and carrying on the design of this institution without any salary, fee, or reward for the same, it is therefore hereby declared, That no future or succeeding Trustee or Trustees, who shall at any time hereafter be appointed a Trustee or Trustees of the said College and Seminary, shall, on any pretence whatsoever, be allowed any salary or other sum of money under the name of expenses or otherwise howsoever. AND FURTHER, That it shall and may be lawful to and for the said Trustees and all future Trustees of the said *Apostolic Society*, or the major part of them for the time being, at all times for ever hereafter to make all such rules, orders, and regulations as shall from time to time be thought requisite and necessary for the internal government and regulation of the said College or Seminary, and the presidents, tutors, secretaries, probationers, and students thereof, and for the general government and regulation of the said institution. PROVIDED ALWAYS, That such rules, orders, and regulations so to be made as aforesaid, shall be agreeable to and consistent with the several covenants, clauses, provisoes, conditions, and agreements in these presents contained. But in case any rules, orders, and regulations shall at any time or times hereafter be made by the said Trustees or the major part of them for the time being, which shall be inconsistent with or contrary to all or any of the covenants, clauses, provisoes, conditions, and agreements herein contained, or the original plan and intention of the said institution, Then such rules, orders, and regulations shall be absolutely null and void, and of no force or effect whatsoever. AND ALSO That they the said Trustees, or the major part of them for the time being, shall, and may from time to time and at all times hereafter, when and as often as they shall think it necessary, elect, nominate, and appoint a secretary of the said society, and all such other officers as they shall think proper and requisite for the better managing and carrying on the affairs and concerns of the said society. AND IT IS hereby further declared and agreed, That the secretary of the said society for the time being shall always give or send six days previous notice in writing to each and every of the said Trustees for the time being, of every special meeting of the said Trustees which shall be held for transacting the business and concerns of the said society. And the said secretary for the time being shall always mention and set forth in his said summons or notice to the said Trustees the hour and place at which such special meeting shall be held, and also the particular business which is intended to be transacted and done at such special meeting. And no other business shall ever be transacted and done at any special meeting of the said Trustees for the time being, but such as shall be mentioned and set forth in the said summons or notice, except motions or propositions to be taken into consideration at a subsequent meeting. And if any special meeting or meetings shall at any time or times hereafter be held without such notice to each of the said Trustees for the time being as aforesaid, all the business and concerns relative to the said society, which shall be transacted and done at such meeting or meetings, shall be absolutely null and void to all intents and purposes whatsoever. AND FURTHER, it is hereby declared and agreed, That if at any special meeting of the said Trustees for the time being there shall happen to be an equal number of voices for and against any particular business relative to the said society, then and in every such case the oldest Trustee, in point of years, who shall be present at such meetings, shall have the casting vote, in order to prevent all unnecessary delays in the business and concerns of the said society. AND ALSO, upon this further trust, That when and as often as the said Trustees or their successors' Trustees in the premises, shall be reduced by death or otherwise, as is hereinafter mentioned, to the number of five, that then, and in such case and so often the said five surviving Trustees, or the major part of them for the time being, shall with all convenient speed elect, nominate, and appoint two other proper and suitable persons to be Trustees in the place and stead of the three Trustees then dead, or by the terms of this deed disqualified and rendered incapable of acting in the trusts hereof, that there may be the full number of seven Trustees, which was the number originally designed and fixed upon by the said late Countess of Huntingdon, and the several persons who first formed the said society to execute the trusts aforesaid, so that none of the said Trustees to be so elected, nominated, and appointed as aforesaid, be a Pelagian, Arian, Socinian, Antinomian, or Arminian, in

Appendix B.

his or their judgment. AND, That when and so often as any new Trustees shall be elected, nominated, or appointed as aforesaid, they shall, previous to such their election, fully and cordially assent to and subscribe the said Fifteen Articles or Confession of Faith. And that when and so often as such new Trustees shall be elected, and shall have subscribed the said Fifteen Articles as aforesaid, the surviving and continuing Trustees shall from time to time by good and sufficient conveyances and assurances in the law, convey and assure the said messuage, tenement, or dwelling-house, garden, orchard, close, or parcel of land, hereditaments, and all and singular other the premises hereby bargained and sold or mentioned and intended so to be, and every part and parcel thereof with the appurtenances unto the said surviving and continuing Trustees and the said new Trustees, their heirs and assigns, to the use and behoof of them the said new Trustees, and the said five surviving and continuing Trustees and their heirs and assigns, upon such and the same trusts and for such and the same uses, intents, and purposes as are by these presents mentioned, expressed, and declared of and concerning the same, and to or for no other use, trust, intent, or purpose whatsoever. AND FURTHER, It is hereby agreed and declared, That if any of the said Trustees, parties hereto, or any future Trustee or Trustees to be appointed in manner aforesaid, in whose name the said trust-monies or any part thereof shall be invested jointly with others, shall happen to leave the kingdom, and go to reside abroad for more than twelve calendar months, or shall remove his or their residence to some part of Great Britain, at such a distance from London as to render it inconvenient for such Trustee or Trustees so going abroad, or removing his residence as aforesaid, to act in the execution of the trusts hereof, that then and in such case he or they shall and will (before his or their going abroad, or removing his or their residence as aforesaid) at the request of the Trustees of the said College and premises for the time being, or the major part of them who shall continue to reside in or near London, immediately join with the other Trustees in whose names the said trust-monies shall then happen to be invested, in transferring the said trust-monies into the names of such four Trustees as the said Trustees of the said College and premises for the time being, or the major part of them, shall nominate and appoint, or shall and will immediately execute a proper letter of attorney for that purpose. PROVIDED ALWAYS, and it is hereby declared and agreed by and between the said parties, That if any of the said Trustees of the said College and premises, or any future Trustee or Trustees to be appointed in manner aforesaid, shall leave the kingdom of Great Britain, and go to reside in parts beyond the seas for more than twelve calendar months together, or shall, in the judgment of the major part of the said Trustees for the time being, become insolvent through his own negligence, extravagance, or wilful misconduct, or shall become a Pelagian, Arian, Socinian, Antinomian, or Arminian, that then and in such case, and from thenceforth, he or they so residing abroad, or becoming insolvent, or a Pelagian, Arian, Socinian, Antinomian, or Arminian as aforesaid, shall cease to be a Trustee or Trustees, or to have or exercise any vote in the election or nomination of any president or presidents, tutor or tutors of the said College or Seminary, and of any person or persons to be a Trustee or Trustees in the premises, and also in the direction, management, or ordering of any other matter whatsoever relative to the said College or Seminary, or the president or presidents, tutor or tutors, or the probationer or probationers, student or students, or the secretary thereof, in anywise, anything hereinbefore contained to the contrary thereof notwithstanding. AND FURTHER, That if any of the said Trustees, or any future Trustee or Trustees to be appointed in manner aforesaid, shall be expelled or discharged from or become incapable of acting in all or any of the trusts herein contained, for or by reason of his or their going to reside abroad for more than twelve months, or for becoming insolvent, or a Pelagian, Arian, Socinian, Antinomian, or Arminian as aforesaid, such Trustee or Trustees so expelled, discharged, or becoming incapable of acting as aforesaid, shall and will, at the request of the other continuing Trustees, or the major part of them for the time being, immediately release, convey, and assign over all his or their estate and interest of and in the said College, hereditaments, and premises, with the appurtenances, and every part and parcel thereof, and also shall and will assign and transfer the said trust-monies standing in his name (if any), or execute a proper letter of attorney for that purpose to such person or persons, and in such manner as the said continuing Trustees for the time being shall direct or appoint upon such and the same trusts as are in these presents mentioned and expressed concerning the same. AND for the better and more effectually compelling and enforcing the performance of all or any of the trusts in these presents contained, It is hereby further mutually agreed by and between the said parties, that they the said Trustees, parties hereto, shall and will, at or immediately after the execution of these presents, and all further Trustee and Trustees to be appointed in manner aforesaid, shall immediately after their appointment, severally execute bonds to all the other Trustees for the time being, in the penal sum of One thousand pounds for the due and faithful performance of the several trusts, covenants, provisoes, conditions, and agreements in these presents contained, according to the true intent and meaning hereof, and of the said institution. PROVIDED ALSO, and it is hereby further declared and agreed by and between the said parties to these presents, That the said Trustees, and their successors' Trustees, in the premises for the time being, or any of them, their or any of their heirs, executors or administrators, shall not be charged or chargeable with, or accountable for any more monies than they shall respectively receive, or shall come to their respective hands by virtue of the trusts aforesaid, nor with or for any loss which shall happen of such trust-monies, or any part thereof, so as the same shall happen without their wilful neglect or default, nor

shall

shall they be answerable any one of them for the other or others of them, or for the acts, receipts, disbursements, or defaults of the other of them, but each of them for his own acts, receipts, disbursements, and defaults only. PROVIDED FURTHER, and it is hereby also declared and agreed, That it shall and may be lawful to and for the said Trustees, or the major part of them for the time being, from time to time and at all times hereafter, to dismiss, deprive, remove and expel any president or presidents, tutor or tutors, probationer or probationers, student or students, or secretary of the said College or Seminary whenever they shall think fit and proper so to do, as it is the true intent and meaning of these presents and of the said parties hereto, that the said Trustees, or the major part of them for the time being, shall always for ever hereafter have and possess the sole supreme authority, control and direction over the said College or Seminary, and all the affairs and concerns thereof. And also over the president or presidents, tutor or tutors, student or students, or secretary thereof, anything herein contained to the contrary in anywise notwithstanding. PROVIDED MOREOVER, and it is hereby also declared and agreed, That it shall and may be lawful to and for the said Trustees, or the major part of them for the time being, if they shall so think proper, at any time hereafter by and out of the said trust fund, or by and out of the legacies, donations and subscriptions which shall be received by or come to his or their hand or hands for and towards the maintenance and support of the said College or Seminary, to erect and build, upon some convenient part of the said hereditaments and premises hereinbefore mentioned and intended to be hereby bargained and sold as aforesaid, a chapel, to be set apart and used for the exercise of religious worship for the greater convenience of the said president or presidents, tutor or tutors, and students of the said College or Seminary, which said chapel or meeting house, when the same shall be so erected and built as aforesaid, shall be considered as an appurtenant of and belonging to the said College or Seminary, and shall be vested in the said Trustees for the time being and their successors upon such and the same trusts, and to and for the same uses, intents and purposes, and under and upon the limitations, conditions, provisoes and agreements as are hereinbefore mentioned and declared of and concerning the said College or Seminary. PROVIDED LASTLY, and it is hereby further covenanted and declared, by and between the said parties to these presents, that if at any time or times hereafter the said Trustees for the time being, or their successors' Trustees in the premises shall be rendered and become incapable of carrying on, maintaining and supporting the said College or Seminary for want of a sufficient fund, or in default of subscriptions, legacies, or donations to the support thereof, or from popular commotions, insurrections, persecutions, or by any prohibitory or penal laws and statutes of this realm, that then, and in any or either of the cases aforesaid, it shall and may be lawful to and for the said Trustees, or the major part of them for the time being, or their successors, to dismiss the president or presidents, tutor or tutors, of the said College or Seminary, and the probationers, students, and secretary thereof, and to set and let the said messuage, tenement, or dwelling-house, garden, orchard, close or parcel of land and premises hereinbefore mentioned to some person or persons as tenant or tenants at will at rack rent, and shall and may in their discretion pay, apply and dispose of the rents, issues and profits thereof either in the private tuition of one or more student or students for the work of the ministry of the Gospel according to the original plan of the said institution, or otherwise to lay out and invest the same in the public Stocks or Funds, there to accumulate till, by fresh subscriptions, donations or legacies, together with the said accumulated money in the Funds, they shall be again enabled to carry on, support and maintain the said College or Seminary, according to the original plan and design of the said institution, and under and subject to the several trusts hereinbefore particularly mentioned and declared of and concerning the same. AND the said Thomas Long Sheen doth hereby for himself, his heirs, executors, and administrators, covenant, promise, and agree to and with the said James Oldham Oldham, Mathias Peter Dupont, Thomas Weatherill, William Hodson, William Langston, Henry Batley, William Astle, and John Lloyd, their heirs and assigns, that he the said Thomas Long Sheen, hath not at any time heretofore made, done, or committed, or wittingly or willingly suffered any act, deed, matter, or thing whatsoever whereby or by reason or means whereof the said messuage, tenement, or dwelling-house, garden, orchard, close, or parcel of land, hereditaments and premises, or any part or parcel thereof, are, is, can, shall, or may be affected, charged, impeached, or incumbered, in title, charge, estate, or otherwise howsoever. IN WITNESS whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Appendix B.

THE SCHEDULE, or ARTICLES of FAITH, referred to by the aforegoing DEED.

I. *Of God.*

THAT there is but one living and true God, everlasting, without body, parts, or passions; of infinite power, wisdom, and goodness; the Maker and Preserver of all things, both visible and invisible. And in unity of the Godhead there are three persons, of one substance, power, and eternity, the Father, the Son, and the Holy Ghost.

II. *Of the Scriptures.*

That it pleased God, at sundry times and in divers manners, to declare His will, and that the same should be committed unto writing; which is therefore called the Holy Scripture, which containeth all things necessary to salvation. The authority whereof doth not depend upon the testimony of man, but wholly God, its Author; and our assurance of the infallible truth thereof is from the inward work of the Holy Ghost, bearing witness, with the Word, in our hearts.

III. *Of Creation.*

It pleased God, for the manifestation of His glory, in the beginning, to create the world and all things therein; and having made man, male and female, after His own image, endued with knowledge, righteousness, and true holiness: He gave them a command not to eat of the tree of knowledge of good and evil, with a power to fulfil it, yet under a possibility of transgressing, being left to the liberty of their own will, which was subject unto change.

IV. *Of the Fall of Man from Original Righteousness.*

Our first parents sinned in eating the forbidden fruit; whereby they fell from their original righteousness, and became wholly defiled in all the faculties and parts of soul and body. And being the root of all mankind, the guilt of this sin was imputed, and the same corrupted nature conveyed, to all their posterity descending from them by ordinary generation.

V. *Of Original Sin.*

Original sin standeth not in the following of Adam, as the Pelagians do vainly talk; but it is the fault and corruption of the nature of every man, that naturally is engendered of the offspring of Adam; whereby man is, as far as possible, gone from original righteousness, and is of his own nature inclined to evil, so that the flesh lusteth always contrary to the spirit; and therefore, in every person born into this world, it deserveth God's wrath and damnation. And this infection of nature doth remain, yea, in them that are regenerated, yet without dominion; and although there is no condemnation to them that are in Christ Jesus, yet sin in them is evil, as much as in others, and as such receives Divine fatherly chastisement.

VI. *Of Predestination and Election.*

Although the whole world is thus become guilty before God, it hath pleased Him to predestinate some unto everlasting life. Predestination, therefore, to life, is the everlasting purpose of God whereby (before the foundations of the world were laid) He hath constantly decreed by His counsel, secret to us, to deliver from curse and damnation those whom He hath chosen in Christ out of mankind, and bring them by Christ to everlasting salvation, as vessels made to honour. Wherefore they which are endued with so excellent a benefit of God, are called according to God's purpose, by His Spirit working in due season: they, through grace, obey the call; they are justified freely; they are made sons of God by adoption; they bear the image of Christ; they walk religiously in good works; and at length, by God's mercy, they attain to everlasting felicity.

VII. *Of Christ the Mediator.*

It pleased God, in His eternal purpose, to choose and ordain the Lord Jesus, His only begotten Son, to be the Mediator between God and man, the Prophet, Priest, and King, the Head and Saviour of His Church; unto whom He did, from all eternity, give a people

people to be His seed, and to be by Him in time redeemed, called, justified, sanctified, and glorified. He therefore, being very and eternal God, of one substance and equal with the Father, did, when the fulness of time was come, take upon Him man's nature, yet without sin, being conceived by the power of the Holy Ghost in the womb of the Virgin Mary; so that two whole, perfect, and distinct natures, the Godhead and the manhood, were inseparably joined together in one person, without conversion or confusion; which person is very God and very man, yet one Christ, the only Mediator between God and man. This office of a Mediator and Surety He did most willingly undertake; which, that He might discharge, He was made under the law, and did perfectly fulfil it by an obedience unto death; by which perfect obedience and sacrifice of Himself on the cross, which He, through the Eternal Spirit, once offered up unto God, He hath fully satisfied Divine justice, and purchased, not only reconciliation, but an everlasting inheritance in the Kingdom of Heaven for all those whom the Father had given Him. To all of whom He doth, in His own time, and in His own way, certainly and effectually apply His purchased redemption; making intercession for them; and revealing unto them, through the Word and by His Spirit, the mysteries of Salvation; effectually enabling them to believe unto obedience; and governing their hearts by the same Word and Spirit; and overcoming all their enemies by His almighty power.

VIII. *Of the Holy Ghost.*

The Holy Ghost is the third person in the adorable Godhead; distinct from the Father and the Son, yet of one substance, glory, and majesty with them, very and eternal God; whose office in the Church is manifold. It is He who illuminates the understanding to discern spiritual things, and guides us into all truths; so that, without His teaching, we shall never be effectually convinced of sin, nor be brought to the saving knowledge of God in Christ. And His teaching, whether it be by certain means which he ordinarily makes use of, or without means, is attended with an evidence peculiar and proper to itself, therefore styled the demonstration of the Spirit and of power. By which Divine power He not only enlightens the understanding, but gives a new turn or bias to the will and affections, moving and acting upon our hearts, and by His secret, energetic influence effecting those things which we could never attain or accomplish by our own strength. Nor is His guidance less necessary in our lives and in all our actions. Without His assistance we know not what to pray for, or how to pray aright. He confirms us in all grace; and He is the author of all holiness. It is He that assures us of our personal interest in Christ, and that sheds abroad the love of God in our hearts. He seals believers unto the day of redemption, and is Himself the earnest of their future inheritance. He administers comfort to us in our temporal and spiritual distresses, by applying to our minds seasonable promises of God in Christ Jesus, which are yea and amen; and by receiving the things of Christ and showing them unto us. Thus He encourageth and refresheth us with a sense of the favour of God; fills us with joy unspeakable and full of glory; and is to abide with the Church for ever.

IX. *Of Free Will.*

The condition of man after the fall of Adam is such, that he cannot turn or prepare himself by his own natural strength and good works to faith and calling upon God; wherefore we have no power to do good works pleasant and acceptable to God, without the grace of God by Christ preventing us, that we may have a good will, and working with us when we have that good will.

X. *Of Justification.*

We are accounted righteous before God only for the merit of our Lord and Saviour Jesus Christ, by faith, and not for our own works or deservings. Wherefore that we are justified by faith alone is a most wholesome doctrine, and very full of comfort. And this is done by pardoning our sins, and by accounting our persons as righteous by imputing the obedience and satisfaction of Christ unto us, which is received and rested upon by faith; which faith we have not of ourselves, but it is the gift of God.

XI. *Of Sanctification and good Works.*

They who are effectually called and regenerated, having a new heart and a new spirit created in them, are further sanctified, really and personally, through the virtue of Christ's death and resurrection, by His Word and Spirit dwelling in them; the dominion of the whole body of sin is destroyed, and the several lusts thereof are more weakened and mortified, and they more and more quickened and strengthened in all saving graces to the practice of true holiness; without which no man shall see the LORD. Works, which are the fruits of faith, and follow after justification, though they cannot put away our sins nor endure the severity of God's judgment, yet are pleasing and acceptable to God in Christ, and spring out necessarily of a true and lively faith; insomuch that by them a lively faith may be as evidently known, as a tree discerned by the fruit.

Appendix B.

XII. *Of Works before Justification.*

Works done before the grace of Christ, and the inspiration of His Spirit, are not pleasant to God; for as much as they spring not of faith in the Lord Jesus Christ; neither do they make men meet to receive grace; yea, rather, for that they are not done as God hath willed and commanded them to be done, we doubt not but they have the nature of sin.

XIII. *Of the Church.*

The Catholic or universal Church, which is invisible, consists of the whole number of the elect that have been, are, or shall be gathered into one, under Christ the head thereof, and is the spouse, the body, the fulness of Him that filleth all in all. The visible church consists of all those throughout the world who profess the true religion, together with their children. To which visible church Christ hath given the ministry and ordinances of the Gospel, for the gathering and perfecting of the saints in this life, to the end of the world; and doth by His own presence and Spirit, according to His promise, make them effectual thereunto.

There is no other head of the church but the Lord Jesus Christ; nor can the Pope of Rome, in any sense, be head thereof, but is that Antichrist, that man of sin, and son of perdition, that exalteth himself in the church against Christ, and all that is called God.

XIV. *Of Baptism.*

Baptism is a sacrament of the New Testament ordained by Jesus Christ, not only for the solemn admission of the party baptised into the visible church, but also to be unto him a sign and seal of the covenant of grace, to be continued in the church until the end of the world; which is rightly administered by pouring or sprinkling water upon the person, in the name of the Father, Son, and Holy Ghost. This sacrament ought to be administered but once to any person; and we also hold, that infants may, and ought to be baptised, in virtue of one or both believing parents; because the spiritual privilege of a right unto, and a participation of the initial seal of the covenant, was granted by God to the infant seed of Abraham; which grant must remain firm for ever, without the Lord's own express revoking or abrogation of it; which can never be proved from Scripture that He has done. Again, they that have the thing signified, have a right to the sign of it; but Children are capable of the grace signified in Baptism. And some of them (we trust) are partakers of it; namely, such as die in their infancy; therefore they may and ought to be baptised. For these and other reasons, we believe and maintain the lawfulness and expediency of infant baptism.

XV. *Of the Lord's Supper.*

The Supper of the Lord is not only a sign of the love that Christians ought to have among themselves one to another, but rather it is a sacrament of the body and blood of Christ, and of our redemption thereby, called the Lord's Supper, to be observed in His church to the end of the world for the perpetual remembrance of the sacrifice of Himself in His death; the sealing of all benefits thereof to true believers; their spiritual nourishment and growth in him; their further engagement in, and to all duties which they owe unto Him; and to be a bond and pledge of their communion with Him and with each other as members of His mystical body. Insomuch that, to such as rightly and with faith receive the same, the bread which we break is a partaking of the body of Christ, and likewise the cup of blessing is a partaking of the blood of Christ; though in substance and nature they still remain bread and wine as they were before. Those, therefore, that are void of faith, though they do carnally and visibly eat the bread and drink the wine of this sacrament of the body and blood of Christ, yet they are in no wise partakers of Christ; but rather to their condemnation do eat and drink the sign or sacrament of so great a blessing.

Executed by all parties, and duly attested. Enrolled in Chancery, the 3rd day of July 1793.

APPENDIX C.

UNIVERSITY TESTS BILL.

The following Declaration was signed, and a copy of it transmitted to the Prime Minister, in February last:—

Oxford, February 1870.

WE, the undersigned, resident Graduates of the University of Oxford, earnestly deprecate any Legislative Enactments which shall tend to separate Education from Religion, or fail to secure a Christian education for the youth of this country, in the Universities of Oxford and Cambridge.

And we deprecate in particular any new enactments which shall destroy or impair that connection of the Colleges in the said Universities with the Church of England, in respect of their teaching, government, and common worship, which recent Acts of Parliament have distinctly recognised and enforced.

Plumtre, F. C. D.D. Master of University College.
Scott, R. D.D. Master of Balliol, Ireland Professor of Divinity, Member of the Hebdomadal Council.
Marsham, R. B. D.C.L. Warden of Merton.
Lightfoot, J. P. D.D. Rector of Exeter.
Hawkins, E. D.D. Provost of Oriel, late Ireland Professor.
Jackson, W. D.D. Provost of Queen's.
Sewell, J. E. D.D. Warden of New College, and Member of the Hebdomadal Council.
Leighton, F. K. D.D. Warden of All Souls, Member of the Hebdomadal Council.
Bulley, F. D.D. President of Magdalen, and Member of the Hebdomadal Council.
Norris, J. D.D. President of Corpus.
Wynter, P. D.D. President of St. John's, and Member of the Hebdomadal Council.
Williams, C. D.D. Principal of Jesus College.
Symons, B. P. D D. Warden of Wadham.
Evans, E. M.A. Master of Pembroke.
Cotton, R. L. D.D. Provost of Worcester.
Michell, R. D D. Principal of Magdalen Hall, Public Orator, and Member of the Hebdomadal Council.
Cornish, H. H. D.D. Principal of New Inn Hall.
Salter, W. C., M.A. Principal of St. Alban Hall, late Fellow of Balliol.
Chase, D. P. M.A. Principal of St. Mary Hall, Fellow and late Tutor of Oriel.
Smith, R. P. D.D. Canon of Ch. Ch. Regius Professor of Divinity.
Clerke, C. C. D.D. Canon of Ch. Ch. Archdeacon of Oxford.
Pusey, E. B. D.D. Canon of Ch. Ch. Regius Professor of Hebrew, and Member of the Hebdomadal Council.
Jelf, R. W. D.D. Canon of Ch. Ch. late Fellow and Tutor of Oriel, and late Principal of King's College, London.
Ogilvie, C. A. D.D. Canon of Ch. Ch. Regius Professor of Pastoral Theology.
Heurtley, C. A. D.D. Canon of Ch. Ch. Margaret Professor of Divinity, and Member of the Hebdomadal Council.
Bright, W. D.D. Canon of Ch. Ch. Regius Professor of Ecclesiastical History.
Stubbs, W. M.A. Fellow of Oriel Regius Professor of Modern History.
Palmer, E. M.A. Tutor and late Fellow of Balliol, *since* Corpus Professor of Latin.
Burrows, M. M.A. All Souls, Chichele Professor of Modern History, and Public Examiner.
Wall, H. M.A. Fellow of Balliol, Professor of Logic.
Phillips, J. M.A. Magdalen, Professor of Geology.
Williams, M. M.A. University, Boden, Professor of Sanskrit.
Gandell, R. M.A. Classical Tutor, Magdalen Hall, Laudian Professor of Arabic.
Price, Bonamy, M.A. Worcester, Professor of Political Economy [first clause of the Declaration].
Bosworth, J. D.D. Ch. Ch. Professor of Anglo-Saxon.
Westwood, J. O. M.A. Magdalen, Hope Professor of Zoology.
Liddon, H. P. M.A. Student of Ch. Ch. Canon of St. Paul's, and Member of the Hebdomadal Council.
Rowden, E. W. D.C.L. late Fellow of New College, Registrar of the University.

Appendix C.

Main, R. M.A. Radcliffe Observer.
Fisher. J. D.D. Fellow of Magdalen.
Short, T. B.D. Fellow and late Tutor of Trinity.
Creswell, R. B.D. late Fellow and Tutor of Worcester.
Bayne, J. Vere, M.A. Senior Student and Censor of Ch. Ch.
Faussett, R. M.A. Senior Student and late Mathematical Lecturer of Ch. Ch.
Woollcombe, E. C. M A. Fellow and late Tutor of Balliol.
Turner, E. T. M.A. Fellow and Tutor of Brasenose, and Member of the Hebdomadal Council.
Medd, P. G. M.A. Fellow, Tutor, and Dean of University.
Ince, W. M.A. Fellow, Sub-Rector, Tutor, and Catechist of Exeter, and Member of the Hebdomadal Council.
King, J. R. M.A. late Fellow and Tutor of Merton, Classical Lecturer in Oriel College, Classical Moderator.
Griffiths, J. M.A. late Fellow and Tutor of Wadham, Keeper of the Archives, and Member of the Hebdomadal Council.
Edwardes, S. M.A, Fellow of Merton, late Mathematical Lecturer.
Coxe, H. O. M.A. Corpus, Bodley's Librarian.
Wingfield, C. L. M.A. Fellow and Tutor of All Souls, Senior Proctor.
Rigaud, J. B.D. Fellow and Dean of Divinity, Magdalen.
Gilbertson, L. B.D. Fellow and Vice-Principal of Jesus.
Talbot, E. S. M.A. Senior Student and Tutor of Ch. Ch.
Fremantle, S. J. B.A. Senior Student and Tutor of Ch. Ch.
Dodgson, C. L. M.A. Student and Mathematical Lecturer of Ch. Ch.
Sheppard, T. H. B.D. Fellow and Dean of Exeter.
West, C. F. C. B.D. Fellow and Vice-President of St. John's.
Hill, R. H. D.C.L. Magdalen, Head Master of Magdalen College School.
Page, T. D. M.A. Fellow, Senior Dean, and Historical Lecturer, Pembroke.
Adams, Coker, M.A. Fellow and Dean of New College.
Wordsworth, J. M.A. Fellow and Tutor of Brasenose.
Deane, H. B.D. Fellow and Tutor of St. John's.
Livingstone, R. G. M.A. Fellow and Tutor of Pembroke.
Baker, W. M.A. Fellow and Tutor of St. John's.
Wood, C. J. M.A. late Fellow and Tutor of Brasenose.
Hammond, C. E. M.A. Fellow and Tutor of Exeter.
Barton, A. T. M.A. Fellow and Tutor of Pembroke.
Briscoe, W. K. B. M.A. Fellow and Tutor of Jesus.
Dallin, T. F. M.A. Fellow and Tutor of Queen's.
Jenkins, J. D. B.D. Fellow and Dean of Jesus.
Shand, T. H. R. M.A. Fellow and Mathematical Lecturer, Brasenose.
Moberly, R. C. B.A. Senior Student and Tutor of Ch. Ch.
Sargent, J. Y. M.A. Tutor and late Fellow of Magdalen, Classical Moderator.
Lee, L. J. M.A. Fellow and Sub-Warden of New College.
Dukes, E. R. M.A. late Student and Tutor of Ch. Ch.
Ogle, O. M.A. late Fellow and Tutor of Lincoln.
Williams, R. E. M.A. Fellow and Assistant Tutor of Jesus.
Ogle, H. C. M.A. Fellow and Junior Dean of Arts, Magdalen, Classical Moderator.
Burgon, J. W. M.A. Fellow of Oriel, and Vicar of St. Mary-the-Virgin's.
Ward, G. S. M.A. Mathematical Tutor, Magdalen Hall.
Charsley, R. H. M.A. St. Mary Hall, Mathematical Lecturer.
Jones, W. Eccles, M.A. Fellow and Lecturer of Jesus.
Warren, S. L. M.A. Fellow, Dean and Divinity Lecturer of Wadham.
Rennison, T. M.A. Fellow and Precentor of Queen's, late Mathematical Lecturer.
Jackson, C. N. B.A. Assistant Tutor, Magdalen Hall.
Griffith, J. M.A. Fellow and Assistant Tutor of Jesus.
Chamberlain, T. M.A. Senior Student of Ch. Ch.
Benson, R. M. M.A. Senior Student of Ch. Ch.
Freeling, G. N. M.A. Fellow of Merton.
Henderson, J. E. M.A. Fellow of Magdalen.
Bellamy, J. B.D. Fellow of St. John's.
Wilkins, H. M. M.A. Fellow of Merton.
Bramley, H. R. M.A. Fellow of Magdalen, and Public Examiner.
Walton, H. B. M.A. late Fellow of Merton.
Heaton, C. W. B.D. Fellow of Jesus.
Garnier, T. P. M.A. Fellow of All Souls, and Pro-Proctor.
Metcalfe, F. B.D. Fellow of Lincoln.
Gray, J. B. B.D. Fellow of St. John's.
Jones, W. W. B.D. Fellow of St. John's.
Wilson, R. S. M.A. Fellow and Dean of Brasenose.
West, W. B.D. Fellow of Lincoln.
Knox, E. A. M.A. Fellow of Merton.
Laverty, W. H. B.A. Fellow and Lecturer of Queen's.
Copleston, R. B.A. Fellow and Lecturer of St. John's.
Jayne, F. J. B.A. Fellow and Lecturer of Jesus.
Watson, J. M.A. late Fellow of Brasenose.
Jackson, W. M.A. late Fellow of Worcester, Curator of the Taylor Institution.
Eld, J. H. B.D. Fellow of St. John's.
Nutt, J. W. M.A. Fellow of All Souls, Sub-Librarian of Bodley's Library, and Pro-Proctor.
Linton, H. M.A. late Fellow of Magdalen, Rector of St. Peter-le-Bailey.

Dodd, J. M.A. late Fellow of Queen's.
Golightly, C. P. M.A. Oriel.
Hathaway, E. P. M.A. Queen's, Rector of St. Ebbe's.
Macray, W. D. M.A. Chaplain of Magdalen, Assistant Librarian of Bodley's Library.
Hackman, A. M.A. Precentor of Ch. Ch. Sub-Librarian of Bodley's Library.
Dale, J. A. M.A. Balliol, late Public Examiner.
Smith, S. B. B.A. Mathematical Lecturer, St. Alban Hall.
Yule, H. W. B.A. Wadham, Assistant Lecturer at St. John's.
Pusey, P. E. M.A. Ch. Ch.
Wilson, F. M.A. Magdalen Hall.
Stainer, J. M.A. Magdalen.
Smith, R. W. M.A. Jesus.
Morfill, W. R. M.A. Oriel, late Scholar of Oriel.
Deedes, C. M.A. Chaplain of Ch. Ch.
Whitmarsh, E. D. M.A. St. John's.
Hope, Sackett, M.A. Chaplain of Queen's.
Tuckwell, L. S. M.A. Magdalen.
Rumsey, J. M.A. Pembroke.
Ranken, C. E. M.A. Wadham.
Hogarth, E. L. M.A. Brasenose.
Harrison, W. W. M.A. Brasenose.
Acock, E. M. M.A. Magdalen.
Priest, W. J. B.A. St. Alban Hall.

Since added.

Chapman, E. M.A. Merton, Lecturer in Physical Science at Merton and Jesus.
138 Stocks, J. E. M.A. Chaplain of Ch. Ch.

The following PETITION, with the Signatures annexed, was presented 23 May 1870.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

The Humble Petition of the Undersigned non-resident Members of the University of Oxford, formerly resident and holding office in the University or their respective Colleges, showeth:

That a Bill has been introduced into your Honourable House, intituled "A Bill to "alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, "and Durham, and in the Halls and Colleges of those Universities respectively."

That in the judgment of your Petitioners the Provisions of the Bill tend to separate Education from Religion in those Universities, and in their several Halls and Colleges; and that they are calculated more particularly to destroy, or seriously impair, that connexion of the Colleges and Halls in Oxford and Cambridge with the Church of England, in respect of their teaching, government, and common worship, which has been hitherto recognised by Parliament, and which even recent Acts of the Legislature have been intended to uphold and secure.

That your Petitioners therefore earnestly pray your Honourable House that the Bill may not be permitted to pass into a Law.

And your Petitioners will ever pray, &c.

H. L. Mansel, D.D. Ch. Ch. Dean of St Paul's, late Regius Prof. of Eccles. Hist., Fellow and Tutor of St. John's.
E. M. Goulburn, D.D. Dean of Norwich, late Fellow and Tutor of Merton.
W. Weldon Champneys, M.A. Dean of Lichfield, late Fellow and Bursar of B.N.C.
William Kay, D.D. late Fellow and Tutor of Lincoln.
H. G. Merriman, D.D. late Fellow and Tutor of New College.
John Sedgwick, D.D. late Fellow and Vice-President of Magdalen, and Examiner in the Schools.
W. G. Henderson, D.C.L. late Fellow of Magdalen and Proctor.

Appendix C.

J. R. Bloxam, D.D. late Fellow and Vice-President of Magdalen.
Sidney W. Cornish, D.D. late Fellow and Sub-Dean of Exeter College.
Arthur W. Haddan, B.D. late Fellow and Tutor of Trinity, and Public Examiner.
G. F. De Teissier, B.D. late Fellow and Tutor of C.C.C. and Moderator.
H. A. Woodgate, B.D. late Fellow and Tutor of St. John's, and Public Examiner.
Osborne Gordon, B.D. late Student and Censor of Ch. Ch.
Francis A. Faber, B.D. late Fellow and Tutor of Magdalen.
Martin J. Green, B.D. late Fellow of Lincoln and Proctor.
W. W. Woollcombe, B.D. late Fellow and Subrector of Exeter.
Henry Harris, B.D. late Fellow and Tutor of Magdalen.
William Dyke, B.D. late Fellow and Tutor of Jesus College.
Jacob Ley, B.D. late Student and Censor of Ch. Ch.
E. H. Hansell, B.D. late Fellow and Tutor of Magdalen and Public Examiner.
Alfred B. Clough, B.D. late Fellow and Tutor of Jesus College.
L. A. Sharpe, B.D. late Fellow and Tutor of St. John's.
John Ley, B.D., late Fellow and Subrector of Exeter.
F. Parsons, B.D. late Fellow and Tutor and Vice-President of Magdalen.
J. F. Crouch, B.D. late Fellow and Bursar of C.C.C. and Proctor.
Thomas Pearse, B.D. late Fellow and Vice-President of Magdalen.
W. Arundell Bouverie, B.D. late Fellow of Merton and Proctor.
J. B. Harrison, B.D. late Fellow and Vice-President of Magdalen.
C. M. Skottowe, B.D. late Fellow and Lecturer of Jesus College.
J. D. Jenkins, B.D. Fellow and late Dean of Jesus College.
W. J. Butler, B.D., late Fellow of Magdalen and Proctor.

Henry Ellison, M.A. late Fellow and Bursar of University.
William Hedley, M.A. late Fellow and Tutor of University and Public Examiner.
W. Basil Jones, M.A. Archdeacon of York, late Fellow and Tutor of University and Moderator, Examiner in School of Theology.
John Watts, M.A. late Fellow and Tutor of University.
Allan B. Webb, M.A. late Fellow and Assistant Tutor of University.

J. M. Chapman, M.A. late Fellow and Tutor of Balliol.
James G. Lonsdale, M.A. late Fellow and Tutor of Balliol and Moderator.

M. F. F. Osborn, M.A. late Fellow of Merton.
G. Rooke, M.A. late Fellow and Tutor of Merton.

J. T. H. Du Boulay, M.A. late Fellow and Tutor of Exeter.
George Dawson, M.A. late Fellow and Dean of Exeter.
Frederick Fanshawe, M.A. late Fellow and Tutor of Exeter.
James P. Tweed, M.A. late Tutor and Fellow of Exeter.

Charles Daman, M.A. late Fellow and Tutor of Oriel and Public Examiner.
Charles Page Eden, M.A. late Fellow and Tutor of Oriel.
Clement Creswell, M.A. late Fellow and Tutor of Oriel.
Henry E. Tweed, M.A. late Fellow and Tutor of Oriel.

R. S. Falcon, M.A. late Fellow and Tutor of Queen's.
H. G. Madan, M.A. Fellow of Queen's, Public Examiner.
H. H. Wood, M.A. late Fellow and Tutor of Queen's.

W. E. C. Austin-Gourlay, M.A. late Fellow and Tutor of New College and Moderator.
Charles Awdry, M.A. late Fellow of New College.
Henry Deane, M.A. late Fellow of New College.
Gilbert W. Heathcote, M.A. late Fellow of New College.
Godfrey B. Lee, M.A. Warden of Winchester, late Fellow and Bursar of New College.
Edward Miller, M.A. late Fellow and Tutor of New College.
H. B. Williams, M.A. late Fellow and Tutor of New College.

G. G. Perry, M.A. late Fellow and Tutor of Lincoln.

George Fereman, M.A. Ch. Ch. late Tutor of All Souls and Proctor.
A. F. Stopford, M.A. late Fellow of All Souls and Senior Proctor.

R. F. Hessey, M.A. late Fellow and Tutor of Magdalen.
John Walker Knight, M.A. late Fellow and Vice-President of Magdalen.
James T. B. Landon, M.A. late Fellow of Magdalen and Public Examiner.
Charles Miller, M.A. late Fellow of Magdalen and Public Examiner.

Francis Ashpital, M.A. B.N.C. late Public Examiner and Moderator.
John A. Ashworth, M.A. late Fellow and Tutor of B.N.C. and Public Examiner.
T. T. Bazely, M.A. late Fellow and Tutor of B.N.C. and Public Examiner.
Robert Blackburn, M.A. late Fellow and Divinity Lecturer of B.N.C. Master in the Schools.
William E. Buckley, M.A. late Fellow and Tutor of B.N.C. and Public Examiner.
H. B. W. Churton, M.A. late Fellow and Hebrew Lecturer of B.N.C.

James Garbett, M.A. Archdeacon of Chichester, late Fellow and Tutor of B.N.C. and Public Examiner.
Richard Latham, M.A. late Fellow and Bursar of B.N.C.
Frederick Menzies, M.A. late Fellow and Vice-Principal of B.N.C. and Hebrew and Divinity Lecturer.
William Pulling, M.A. late Fellow and Tutor of B.N.C.
Joseph Walker, M.A. late Fellow and Tutor of B.N.C.

J. W. Richards, M.A. late Fellow and Tutor of C.C.C.
William H. Whitworth, M.A. late Fellow and Tutor of C.C.C.

Edward Hill, M.A. late Student and Lecturer of Ch. Ch. and Public Examiner.
F. H. Joyce, M.A. late Student and Tutor of Ch. Ch.
George Marshall, M.A. late Student and Censor of Ch. Ch. and Public Examiner.
T. P. Rogers, M.A. late Student and Tutor of Ch. Ch.
J. Williams, M.A. late Student and Censor of Ch. Ch. and Public Examiner.

Thomas Williams, M.A. late Fellow and Lecturer of Jesus College.

Thomas Brancker, M.A. late Fellow and Tutor of Wadham, Master of the Schools.
Edward Cockey, M.A. late Fellow and Tutor of Wadham and Public Examiner.
Joseph Walker, M.A. late Fellow and Divinity Lecturer of Wadham.

E. C. Adams, M.A. Fellow and late Divinity Lecturer of Worcester, Master in the Schools.

William Andrew, M.A. late Fellow and Tutor of Worcester and Public Examiner.
B. C. Caffin, M.A. late Fellow and Tutor of Worcester and Master of Schools.
W. Chambers, M.A. late Fellow and Tutor of Worcester and Senior Proctor.
R. Muckleston, M.A. late Fellow and Tutor of Worcester, Public Examiner, and Moderator.
C. H. Tomlinson, M.A. late Fellow and Tutor of Worcester.

The following names of Persons wishing to subscribe to the above Petition came too late to be added to it.

Thomas Shadforth, M.A. Fellow and Tutor of University.
Edmund Hobhouse, D.D. late Bishop of Nelson, late Fellow and Subwarden of Merton, and Principal of the Postmasters.
E. Capel Cure, M.A. late Fellow and Tutor of Merton.
E. A. Dayman, B.D. late Fellow and Tutor of Exeter and Public Examiner.
William Wilson, B.D. late Fellow and Dean of Queen's and Proctor, Canon of Winchester.
J. B. Mozley, B.D. late Fellow of Magdalen and Bampton Lecturer, Canon of Worcester.
John Shuldham, M.A. late Student and Tutor of Ch. Ch. and Public Examiner.
Thomas E. Morris, M.A. late Student and Tutor of Ch. Ch.
F. Meyrick, M.A. late Fellow and Tutor of Trinity College, Public Examiner and Proctor.
J. S. Cattlow, M.A. Fellow and Tutor of St. John's.

PETITION of the Chancellor, Masters, and Scholars of the University of Oxford.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled:

The humble Petition of the Chancellor, Masters, and Scholars of the University of Oxford

Sheweth,

THAT your Petitioners have learned with pain that a Bill has been introduced into your Honourable House, enacting that no Fellow or Tutor of any College, Hall, or House of learning shall be required or enjoined to make or subscribe the Declaration of Conformity to the Liturgy of the Church of England contained in the Act of Uniformity;

That the removal of the only test now by law required of Tutors and Fellows of Colleges generally would render admissible to collegiate government and instruction persons of divergent religious creeds, or of no religious creed whatever;

That the Universities are seminaries of the Church of England, and owe their greatness chiefly to their connexi with the Church; and that the Church could not safely entrust her future Clergy to persons who had given security for their soundness in the faith;

That the relations between Fellows of Colleges are very intimate, and that the harmony and confidence no subsisting must be destroyed by differences on the most important of all subjects; and that open antagonism in th religious belief of their Teachers and Governors must have a tendency to lead Students to regard religious truth as matter of indifference;

Your Petitioners therefore implore your Honourable House not to pass into a law a Bill of which the effects would in their opinion, be injurious to the highest interests of the University, the Country, and the Church.

And your Petitioners will ever pray, &c.

Given at our House of Convocation, this second day of June, in the year of our Lord God, 1863.

We, Non-resident Members of Convocation of the University of Oxford, desire to express our concurrence in the prayer of the above Petition.

(Signed)

C. T. CANTUAR, D.D. Ch. Ch.
W. EBOR, D.D. Queen's
R. DUBLIN, D.D. Oriel
CARNARVON, D.C.L. Ch. Ch.

HARROWBY, M.A. Ch. Ch.
ILCHESTER, M.A. Ch. Ch.
SELKIRK, M.A. Ch. Ch.
H. EXETER, D.D. Magdalen

A. T. CICESTR. D.D. Brasenose
T. V. ST. ASAPH, D.D. Ch. Ch.
S. OXON, D.D. Oriel
J. LINCOLN, D.D. Pembroke

S. CARLISLE, D.D. All Souls
REDESDALE, M.A. New College
CHURSTON, M.A. Oriel

Abbot, C. H. P. M.A. Ch. Ch.
Abdy, Albert, C. M.A. Worcester
Acock, E. M. M.A. Magdalen
Adair, A. W. M.A. Ch. Ch.
„ Alex. M.A. Oriel
Adams, D. M.A. Ch. Ch.
„ Richard L. M.A. Ch. Ch.
„ Henry C. M.A. Magdalen
„ C. C. M.A. Merton
„ Simon T. M.A. New College
„ D. C. O. M.A. St. John's
Addams, J. D.C.L. St. John's
Addington, H. M.A. Lincoln
„ H. J. M.A. Merton
Addison, W. G. M.A. Magdalen Hall
Ady, Wm. B. M.A. Exeter
Airey, Wm. M.A. Queen's
„ J. P. M.A. Queen's
Aitken, James, M.A. Exeter
Aikenhead, D. M.A. University
Aldridge, J. M.A. Ch. Ch.
Alexander, Wm. M.A. Brasenose
„ D.L. M.A. St. Mary Hall
Alington, Alan M. M.A. Worcester
Allen, W. H. M.A. New Inn Hall
„ Edward, M.A. Oriel
„ W. S. M.A. Wadham
„ H. M.A. Worcester
Andrew, Samuel, M.A. Lincoln
„ William, M.A. Worcester
Andrews, S. M.A. Ch. Ch.
„ William, B.D. Exeter
Anson, F. M.A. All Souls
Anstis, M. M.A. Exeter
Appleton, John H. M.A. Pembroke
Argles, M. M.A. Merton
Arkell, John, M.A. Pembroke
Armitage, E. M.A. Magdalen
Armstrong, C. E. M.A. Worcester
Arnott, S. B. M.A. St. John's
Arrowsmith, Robert, M.A. Oriel
Ashpitel, F. M.A. Brasenose
Ashton, Ellis, B.D. Brasenose
Ashwell, Seymour, M.A. Ch. Ch.
Ashworth, J. A. M.A. Brasenose
Astbury, C. J. M.A. Brasenose
Astley, Charles T. M.A. Jesus
Atkinson, R. M.A. St. Edmund Hall
„ J. A. M.A. Exeter
„ Miles, M.A. Lincoln
„ Richard, M.A. St. John's
Auriol, Edw. M.A. Ch. Ch.
Austen-Leigh, J. E. M.A. Exeter

Austin, W. E. C. M.A. New College
„ John, S. M.A. Trinity
Awdry, W. H. M.A. Exeter
„ Charles, B.C.L. New College
„ J. W. M.A. Oriel

Back, John, M.A. Trinity
Bacon, Hugh, M.A. Trinity
Bagot, H. C. M.A. All Souls
„ Lewis, F. M.A. All Souls
„ F. D.C.L. All Souls
Baines, J. M.A. St. John's
Baird, Wm. M.A. Lincoln
Baker, R. M.A. Magdalen Hall
„ Slade, M.A. University
Ball, J. B.D. St. John's
Balston, T. M.A. Brasenose
„ Charles, B.D. Corpus
Bankes, Fred. B.D. Magdalen Hall
Banner, Thomas B. M.A. Brasenose
Barber, John, M.A. Worcester
Barchard, F. M.A. Ch. Ch.
Barff, Alfred, M.A. Pembroke
Barker, T. F. M.A. Brasenose
„ T. C. M.A. Ch. Ch.
„ Arthur A. B.D. Magdalen
„ Thos. R. M.A. Merton
„ F.M.R. M.A. Oriel
„ Thos. M.A. Queen's
„ Alfred G. M.A. Trinity
„ Charles R. M.A. Wadham
Barlow, E. W. M.A. Exeter
Barmby, J. B.D. Magdalen
Barnard, Wm. H. M.A. Exeter
Barnes, Ralph, M.A. Ch. Ch.
„ Reginald, H. M.A. Ch. Ch.
„ R. W. M.A. Queen's
Barnett, H. M.A. Ch. Ch.
Barnwell, J. C. M.A. Worcester
Baron, J. M.A. Queen's
Barrett, J. C. M.A. Ch. Ch.
„ T. S. M.A. Ch. Ch.
Barrow, G. S. M.A. Pembroke
„ J. S. M.A. Wadham
Barter, C. M.A. Balliol
„ Henry, M.A. Merton
„ R. B. M.A. Oriel
Bartholomew, J. M.A. Corpus
Bartlett, J. B. M.A. St. John's
„ W. A. M.A. Wadham
Bashall, W. M.A. St. John's
Bastard, Wm. P. M.A. Balliol

Bateman, J. M.A. Magdalen
Bates, J. C. M.A. Queen's
Bathurst, W. L. M.A. All Souls
„ A. B.C.L. New College
Batley, B. M.A. Worcester
Battersby, T. H. H. M.A. Balliol
Batty, R. E. M.A. Brasenose
„ B. N. R. M.A. St. John's
Battye, Richard, M.A. Brasenose
Bayley, W. H. M.A. Ch. Ch.
Bazely, T. T. M.A. Brasenose
„ John, M.A. Brasenose
Beck, William, M.A. Pembroke
Beckwith, T. P. M.A. Ch. Ch.
„ George, M.A. New College
Bedford, W. K. R. M.A. Brasenose
Behrends, John B. M.A. St. John's
Belcher, B. M.A. Wadham
Belgrave, C. W. M.A. Lincoln
„ Wm. M.A. Lincoln
Bell, W. M.A. Brasenose
„ Thomas, M.A. Exeter
„ John, M.A. University
Bellairs, S. G. M.A. Magdalen Hall
Bellamy, Geo. M.A. Lincoln
„ J. W. B.D. St. John's
Bellas, L. M.A. Queen's
„ Septimus, M.A. Queen's
Bennett, W. J. E. M.A. Ch. Ch.
„ A. S. M.A. Exeter
„ George, M.A. New College
„ Fred. M.A. Wadham
„ Alex. M. M.A. Worcester
Bennitt, Wm. M.A. Trinity
Benson, M. E. M.A. St. John's
Bernard, C. B. M.A. Balliol
„ T. D. M.A. Exeter
Pernays, L. J. M.A. St. John's
Bertie, H. W. D.C.L. All Souls
Besly, John, D.C.L. Balliol
Bethune, C. G. M.A. Trinity
Bevan, Beckford, M.A. Ch. Ch.
„ W. L. M.A. Magdalen Hall
Beynon, W. L. M.A. Magdalen Hall
Biddulph, H. B.D. Magdalen
Bigsby, H. J. M.A. Wadham
Billingsley, J. R. F. M.A. Lincoln
Bingham, W. P. S. M.A. Ch. Ch.
Binney, J. E. M.A. Brasenose
„ D. B. M.A. Wadham
Bird, Roger, B.D. Magdalen
Birley, Alfred, M.A. Balliol
„ Robert, M.A. Balliol

Birley, W. H. M.A. Balliol
„ John S. M.A. Brasenose
Birtwhistle, R. M.A. Lincoln
Biscoe, V. H. M.A. Ch. Ch.
Blackburn, H. I. M.A. Brasenose
„ Robert, M.A. Brasenose
Blackburne, T. M.A. Brasenose
Blacker, M. J. M.A. Merton
Blackmore, R. M.A. Ch. Ch.
„ R. M.A. Exeter
Blagden, T. N. B.D. Magdalen
Blake, Vernon, M.A. Wadham
Blandford, H. W. M.A. Wadham
Blandy, W. F. M.A. Queen's
„ F. J. M.A. St. John's
Blane, Henry, M.A. Brasenose
Blatch, J. B.D. Magdalen
Bligh, J. D. D.C.L. All Souls
Blissett, Henry M.A. Balliol
Blomfield, Jas. C. M.A. Exeter
Bloxam, J. R. D.D. Magdalen
Bloxsome, W. H. M.A. Wadham
„ W. H. M.A. Wadham
Blucke, W. S. M.A. Magdalen Hall
Bluett, W. J. G. M.A. Magdalen Hall
Blunt, A. C. M.A. Ch. Ch.
Blyth, G. F. P. M.A. Lincoln
„ C. D. B.D. St. John's
Bode, G. C. M.A. Magdalen Hall
Body, B. R. M.A. Magdalen Hall
Boles, J. T. M.A. Exeter
Bolling, E. J. M.A. University
Bond, F. H. M.A. Exeter
Bonnor, R. M. M.A. Ch. Ch.
Booth, G. A. M.A. Exeter
„ John, M.A. Worcester
Borradaile, A. M.A, Ch. Ch.
Boughey, Geo. M.A. Ch. Ch.
Bourne, J. G. M.A. Exeter
Bouverie, Edw. M.A. Ch. Ch.
„ W. A. M.A, Merton
Bowden, James M.A. University
Bowen, Jas. B. M.A. Worcester
Bowlby, H. B. M.A. Wadham
Bowles, G. D. M.A. Ch. Ch.
„ S. Jas. M.A. Magdalen
„ F. A. M.A. Magdalen Hall
„ Thos. M.A. Queen's
„ H. A. M.A. St. John's
Bowmar, H. M.A. Lincoln
Bowyer, W. H. W. B.C.L. Brasenose
„ Charles, M.A. Trinity

Boyd, Wm. M.A. University
Boyle, G. F. M.A. Ch. Ch.
Bradford, C. W. M.A. Brasenose
Bradshaw, J. Mills, M.A. Lincoln
Braikenridge, G. W. M.A. University
Braithwaite, George M.A. Queen's
Bramston, John M.A. Exeter
Brancker, H. M.A. Wadham
„ T. M.A. Wadham
Branfoot, T. R. M.A. Trinity
Bree, Wm. M.A. Merton
Breedon, E. A. M.A. Trinity
Brenchley, J. M.A. University
Brent, Daniel, D.D. University
Brickdale, J. F. F. M.A. Ch. Ch.
„ M. I. F. M.A. Ch. Ch.
Bridges, B. E. M.A. Merton
„ Alex. H. M.A. Oriel
Briggs, T. C. M.A. Worcester
Brine, J. G. B.D. St. John's
Briscoe, R. D.D. Jesus
„ Thomas, B.D. Jesus
Brock, Wm. M.A. Queen's
Brodrick, W. J. M.A. Balliol
Brook, Alfred, M.A. Exeter
„ James, M.A. Worcester
Brooke, J. W. M.A. University
Brookes, J. H. M.A. Brasenose
Browell, W. R. M.A. Pembroke
Brown, G. J. M.A. Ch Ch.
„ G. R. M.A. Ch. Ch.
„ J. Jones, M.A. Jesus
Browne, J. C. D.C.L. St. John's
„ W. J. C. M.A. St John's
„ Charles, M.A. Worcester
„ C. H, M.A. Worcester
„ R. H. N. M.A. Worcester
Brownlow, W. M.A. Pembroke
Brutton, Thos. M.A. Pembroke
Bubb, Henry M.A. Pembroke
Buchanan, T. B. M.A. Exeter
Buckley, W. E. M.A. Brasenose
„ Felix, J. M.A. Merton
Bucknill, G. M.A. Trinity
Buddicom, R. J. M.A. Brasenose
Bull, Henry M.A. Ch. Ch.
Bullock, W. T. M.A. Magdalen Hall
„ G. F. M.A. Queen's
Burd, Wm. S. M.A. Ch. Ch.
Burfield, H. J. M.A. Lincoln
Burgon, J. W. M.A. Oriel
Burmester, G. M.A. Balliol
Burnham, C. H. M.A. Brasenose
Burridge, T. W. M.A. Magdalen Hall
Burrough, J. M.A. Queen's
Burrows, H. W. B.D. St. John's
„ Loonard, F. M.A. Wadham
Burt, Robert G. M.A. Exeter
Burton, E. C. M.A. Ch. Ch.
„ Richard, M.A. Lincoln
Bush, F. W. M.A. Magdalen Hall
„ R. W. M.A. Worcester
Butler, Daniel M.A. Lincoln
„ T., B.D. Magdalen
„ Wm. J. B.D Magdalen
Butlin, Wm. M.A. Lincoln.
Buttanshaw, J. M.A. Corpus
Byron, W. M.A. All Souls
Byrth, H. S. M.A. Brasenose

Cadogan, Edw. M.A. Ch. Ch.
Calverley, H. C. M.A. Corpus
Cameron, C. R. M.A. Ch. Ch.
„ F. M. M.A. Ch. Ch.
„ G. T. M.A. Ch. Ch.
„ A. A. M.A. Pembroke
Candy, Herb. M.A. Lincoln
Caparn, W. B. M.A. Brasenose
Carew, R. B. M.A. Ch. Ch.
Carey, T. M.A. Ch. Ch
Carr, Thomas W. M.A. Wadham
Carrick, J. L. M.A. Queen's
Carter, W. E. D. M.A. New College
„ Thomas, M.A. Queen's
„ George, M.A. St. John's
Cartwright, W. H. M.A. Trinity
Cary, J. W. D.D. Magdalen Hall
Casson, G. M.A. Brasenose
Cattley, H. T. M.A. St. John's
„ Richard, M.A. Worcester
Cave, Oliver, M.A. Balliol
„ Stephen, M.A. Balliol
„ V. B. M.A. Exeter
Cawood, J. M.A., St. Edmund Hall
Cazenove, J. G. M.A., Brasenose
„ Arthur, M.A. Exeter
Cecil, R. G. M.A. All Souls
Chamberlain, E. H. M.A. University
Champernowne, R. M.A. Ch. Ch.
Champneys, M. H. S. M.A. Brasenose
„ W. W. M.A. Brasenose
Chandos-Pole, W. M.A. Ch. Ch.
„ S. H. R. M A. St. Mary Hall
Chaplin, E. M. M.A. Magdalen Hall
Chapman, J. M. M.A. Balliol
Chave, E. W. T. D.D. Worcester
Cheese, Edward, M.A. Balliol
Chepmell, H. Le M. D.D. Pembroke
Chetwode, Geo. M.A. Brasenose
Chevallier, B. D.M. Brasenose
„ Chas. H. M.A. Trinity
Chittenden, T. K. B.D. St. John's
Cholmondeley, H. P. M.A. All Souls
Churton, H. B. W. M.A. Brasenose
„ Edward, M.A. Ch. Ch.
Clapp, Thos. M A. Exeter
Clare, G. T. M.A. St. John's
Clark, T. H. M.A. Brasenose
„ Thomas, M.A. Pembroke
„ J. C. B.D. St. John's
„ George, M.A. University
„ John D. M A. University
Clarke, W. F. B.M. Ch. Ch.
„ Wm. G. M.A. Oriel
„ Samuel, M.A. St. John's
„ C. P. M.A. University
„ W. W. M.A. Wadham
„ C. G. M.A. Worcester
Claughton, T. L. M.A. Trinity
Cleather, G. E. M A. Exeter
Cleaver, E. D. M.A. Ch. Ch.
„ W. H. M.A. Ch. Ch.
Clegg, John, M.A. Magdalen Hall
Clement, B. P. M.A. Exeter
Clements, Jacob, M.A. Oriel
Clifton, P. R. M.A. Lincoln
„ Chas. R. M.A. Merton
„ G. H. M.A. Worcester
Close, M. C. M.A. Ch. Ch.
Clough, A. B. B.D. Jesus
Clutterbuck, J. C. M.A. Exeter
Cockerell, A. P. M.A. Ch. Ch.
Cockey, Edw. M.A. Wadham
Cockin, Wm. M.A. Brasenose
Codrington, J. E M.A. Brasenose
Coker, John, M.A. New College
Colborne, G. M.A. St. John's
Coldwell, C. L. M. A. Pembroke
Cole, W. S. M.A. Worcester
Coleridge, Edw. M.A Exeter
„ F. J. M.A. St. Mary Hall
Collett, W. L. M.A. Queen's
Colley, Richard H. M.A. Ch. Ch.
Collier, Chas. H. M.A. Oriel
Collings, P. B. M.A. Queen's
Collins, Wm. L. M.A. Jesus
„ Thos. B.D Magdalen
„ Richard, M.A. University
„ Thos. M.A. Wadham
Collis, J. D. D.D. Worcester
Collyns, J. M. M.A. Ch. Ch.
Coltman, W. J. M.A. Brasenose
Compton, F. D.C.L. All Souls
„ B. M.A. Merton
Coney, Thos. B. M.A. Balliol
„ Thomas, M.A. University
Conolly, M. J. M A. Ch. Ch.
Cook, John E. M.A. Brasenose
Cooke, W. H. M.A. Brasenose
„ S. H. M.A. Ch. Ch.
„ Chas. J. R. M A. Oriel
Cookson, C. B.D. St. John's
Coope, Wm, J. M.A. Brasenose
„ J. R. M.A. Ch. Ch.
Cooper, N. R. A. M.A. Oriel
„ W. R. A. M.A. University
Coote, A. M.A. Brasenose
Copeland, W. J. B.D. Trinity
Copleston, R. E. M.A. Exeter
„ W. J. M.A. Oriel
Corfe, J. M.A. Magdalen
Cornish, R. K. M.A. Corpus
„ C. L. M A. Exeter
„ S. W. D.D. Exeter
„ W. F. M.A. Lincoln
„ Chas. M.A. Pembroke
Cotton, Hen. D.C.L. Ch. Ch.
„ Hen. M.A. Ch. Ch.
Coulson, J. E. M.A. Ch. Ch.
Coulthaid, Thos. M.A. Queen's
Courtenay, C. L. M.A. Ch. Ch.
„ H. H. M.A. Merton
Cowell, J. B. M.A. Wadham
Cox, Jos. M. M.A. Lincoln
„ W. L. M.A. Magdalen Hall
Cox, John S. M.A. Pembroke
„ John C. M.A. Trinity
„ John M. M.A. Worcester
„ R. C. M.A. Worcester
Crabtree, Wm. M.A. University
Craster, T. H. M.A. University
Craven, Dacre, M.A. St. John's
Crawley, H. M.A. Balliol
„ C. E. M.A. Exeter
„ T. W. M.A. Magdalen Hall
„ C. Y. M.A. Oriel
Cree, J. A. B.D. Magdalen
Cresswell, Richard, M.A. St. John's
Crichton, H. B. M.A. Ch. Ch.
Crook, H. S. C. M.A. Lincoln
Croome, J. M.A. Brasenose
Cross, J. E. M.A. Ch. Ch.
Crouch, J. F. B.D. Corpus
„ Wm. M.A. Exeter
Crowder, J. H. M.A. Merton
Cruddas, Geo. M.A. Lincoln
Cudlip, P. H. M.A. Magdalen Hall
Culley, M. J. M.A. University
Cumby, Wm. M.A. University
Cummings, C. J. M.A. Brasenose
Cunnynghame, J. M. J. M.A St. John's
Curties, T. C. B.D. St. John's
Curtis, Edw. M.A. Magdalen Hall
Curtler, W. H. M.A. Trinity
Cust, A. P. M.A. All Souls

Dalton, W. B.D. Pembroke
„ Richard, M.A. University
„ C. B. M.A. Wadham
Dand, Thos. M.A. Queen's
Daniel, A. M.A. Exeter
„ H. A. M.A. St. John's
Darby, J. G. N. M.A. Ch. Ch.
„ C. L. M.A. St. Mary Hall
Darcey, John, M.A. Brasenose
Darnell, W. N. B D. Corpus
Daubeny, John, M.A. Exeter
Daveny, T. B. M.A. Lincoln
Davenport, Geo. H. M.A. Oriel
„ James, M.A. St. John's
David, Wm. M.A. Jesus
Davidson, J. P. F. M.A. Lincoln
Davies, T. L. O. M.A. Exeter
„ D. Watkin, M.A. Jesus
„ Evan L. M.A. Jesus
„ Huson S. M.A. Pembroke
„ Edw. A. M.A. St. John's
„ R. W. P. M.A. Worcester
„ Wm. R. M.A. Worcester
Davis, Chas. H. M.A. Wadham
Davison, J. R. M.A. Corpus
Davy, C. R. M.A. Balliol
Dawson, John, M.A. Brasenose
„ Geo. M.A. Exeter
Dawson-Damer, L. D. W. M.A. Trinity
Day, H. C. M.A. Brasenose
Deane, F. H. B.D. Magdalen
„ Chas. D.C.L. St. John's
Debary, Thomas, M.A. Lincoln
Deedes, G. F. M.A. Wadham
Dendy, Samuel, M.A. Trinity
Denison, G. A. M.A. Oriel
Denne, R. H. M.A. University
Denton, Wm. M.A. Worcester
De Quetteville, W. M.A. Pembroke
De Sallis, H. J. A. F. M.A. Exeter
„ W. A. F. M.A. Oriel
De Sausmarez, H. M.A. Pembroke
Desborough, H. J. M.A. Wadham
De Teissier, G. F. B.D. Corpus
Dewar, W. W. M. M.A. Balliol
Dewsnap, M. M.A. Ch. Ch.
Dickins, C. A. M.A. University
Dickerson, R. C. M.A. Worcester
Dickson, W. R. J. M.A. Trinity
Dimock, N. M.A. St. John's
Dimsdale, R. M.A. Corpus
Dixon, Henry, M.A. Brasenose
„ J. M. M.A. St. Edmund Hall
„ R. W. M.A. Pembroke
Dodd, Hen. A. M.A. Queen's
Dodds, H. L. M.A. Ch. Ch.
Dodgson, C. M.A. Ch. Ch.
Dodson, Nath. M.A. St. John's
Domville, C. C. M.A. Wadham
Dornford, Joseph M.A. Oriel
Dowdeswell, W. M.A. Ch. Ch.
„ G. M, M.A. Pembroke
Dowding, W. M.A. Merton
Dowell, George, M.A. Trinity
Drake, C. M. M.A. Exeter
Drury, Chas. M.A. Queen's
Dry, William, M.A. Brasenose
Dryden, L. G. G. M.A. Lincoln
Du Boulay, J. T. H. M.A. Exeter
Du Cane, A. M.A. St. John's
Dudding, H. Swan, M.A. Magdalen Hall
Dugdale, W. S. M.A. Balliol
Dumbleton, Edgar N. M.A. Exeter
Duncombe, Aug. D.D. Worcester
Dunlap, A. P. B.D. St. John's
Dunn, Thomas, M.A. Worcester
Dupuis, Theodore C. M.A. Pembroke
Durell, Thos. V. M.A. Ch. Ch.
Dyer, Jas. H. B.D. Trinity
„ Hen. S. D.M. Worcester
Dyke, John D. M.A. Ch. Ch.
„ William B.D. Jesus
Dykes, Jos. B. M.A. Queen's
Dyne, John B. D.D. Wadham

Earle, Percy, M.A. Brasenose
„ Alfred M.A. Magdalen Hall
„ John, M.A. Oriel
„ R. H. M.A. St. John's
Eaton, Walter, M.A. Merton
Echalaz, J. M. M.A. Trinity
Eddrup, E. P. M.A. Wadham
Eden, F. M. M.A. All Souls
„ R. D.D. Ch. Ch.
„ C. Paget, M.A. Oriel
„ Arthur, M.A. Queen's
Edmonds, G. M.A. Ch. Ch.
Edmondson, T. G. M.A. Brasenose
Edwards, E. J. M.A. Balliol
„ D. M.A. Ch. Ch.
Egerton, Algernon, F. D.C.L. All Souls
„ E. C. B.C.L. All Souls
„ George, H. M.A. Brasenose
„ John C. M.A. Brasenose
„ William H. M.A. Brasenose
„ Wilbraham, M.A. Ch. Ch.
„ C. C. M.A. New College
Eld, Francis J. M.A. St. John's
Eldridge, J. A. M.A. Worcester
Elers, F. W. M.A. Trinity
Elgar, Geo. G. M.A. Trinity
Ellacombe, H. T. M.A. Oriel
„ H. N. M.A. Oriel
Ellerton, J. L. M.A. Brasenose
Elliott, J. M.A. St. Edmund Hall
Ellison, H. M.A. University
Ellmann, E. B. M.A. Wadham
Elmhirst, W. M.A. Trinity
Emeris, J. M.A. University
Emerson, George M.A. Brasenose
Emerton, J. A. D.D. Magdalen Hall
Errington, J. L. M.A. Brasenose
Escott, G. M.A. Lincoln
Espin, John, M.A. Merton
Estcourt, W. J. B. M.A. Balliol
Estridge, Hen. M.A. Trinity
Etches, W. H. M.A. Brasenose
Evans, J. M.A. Ch. Ch.
„ John M. M.A. Exeter
„ Arthur, M.A. Pembroke
„ Lewis, M.A. Wadham
Evetts, Thos. M.A. Corpus
Ewing, J. M.A. St. John's
Eyre, F. K. M.A. St. John's
Eyton, R. W. M.A. Ch. Ch.
„ C. W. W. B.D. Jesus

Faber, Francis A. B.D. Magdalen
„ C. W. B.C.L. University
Faithfull, G. D. B.D. Corpus
„ C. H. M.A. Lincoln
„ Francis G. M.A. Trinity
Falcon, T. W. M.A. Queen's
Fanshawe, Fred. M.A. Exeter
„ H. L. M.A. New College
Farley, Thos. D.D. Magdalen
Farquharson, R. M.A. Ch. Ch.
Farrer, Fred. M.A. St. John's
Faussett, H. G. M.A. Ch. Ch.
„ J. T. M.A. Ch. Ch.
„ Robert M.A. Ch. Ch.
Fawcett, J. T. C. M.A. Ch. Ch.
Feetham, W. M.A. St John's
Feilden, G. R. M.A. Ch. Ch.
„ John R. M.A. Ch. Ch.
Fell, G. H. D.D. Magdalen
„ Richard C. M.A. Queen's
Fellowes, H. J. M.A. St. John's
Fellows, E. T. M.A. Brasenose
Fereman, G. M.A. All Souls and Ch. Ch.

Few, W. J. M.A. Ch, Ch.
Ffoulkes, W. W. M.A. Jesus
Field, Edmund, M.A. Exeter
„ W. M.A. Worcester
Finch, W. S. M.A. St. Edmund Hall
„ Hen. C. M.A. Trinity
„ George, M.A. University
Firmstone, E. M.A. Lincoln
Fish, James, L. M.A. Exeter
Fisher, John C. M.A. Queen's
„ F. C. M.A. St. Mary Hall
„ James, M.A. Worcester
Fletcher, James, M.A. Balliol
„ Henry, M.A. Brasenose
„ Robert, M.A. Brasenose
„ J. M.A. St. Edmund Hall
Flintoff, A. N. M.A. Trinity
Floyd, Chas. G. M.A. Ch. Ch.
Fogg, P. P. M.A. Jesus
Foley, E. W. M.A. Wadham
Folliott, J. M.A. Pembroke
Forester, H. W. M.A Trinity
Forshall, Josiah, M.A. Exeter
Forster, Thos. M.A. New College
Fort, Richard, M.A. St. John's
Foster, John, M.A. St. Mary Hall
Foulkes, H. P. M.A. Balliol
Fowle, W. Cecil, M.A. Wadham
Fox, Edward Long, D.M. Balliol
„ V. S. M.A. Balliol
„ O. M.A. Lincoln
„ Edw. M.A. New College
„ Samuel, M.A. Pembroke
Frampton, J. M.A. Exeter
France, G. M.A. Exeter
Fraser, Wm. D.C.L. Worcester
Freeling, G. N. M.A. Merton
Freeman, C. E. M.A. Magdalen Hall
Fremantle, W. R. M.A. Magdalen
Fripp, C. S. M.A. Magdalen Hall
Frith, James, M.A. Ch. Ch.
Frowd, J. B. D.D. Corpus
Fuller, T. M.A Brasenose
„ C. J. M.A. Ch Ch.
Furneaux, W. D. M.A. Exeter
Furse, C. Wellington, M.A. Balliol

Gace, F. A. M.A. Magdalen Hall
Galton, J. L. M.A. St. Edmund Hall
Garbett, Edward, M.A. Pembroke
Gardner Rich. M.A. St. Edmund Hall
Gardiner, Henry, M.A. Exeter
Garnett, F. W. M.A. Balliol
Garratt, J. M.A. Ch. Ch.
Garry, N. T. M.A. Queen's
Garven, Edw. D. M.A. Brasenose
Gatty, A. D.D Exeter
Gaze, J. P. M.A. Trinity
George, P. E M.A. Trinity
Gepp, H. J. M.A. New College
„ G. E. M.A. Wadham
Gibbons, J. Bart. M.A Balliol
„ B. M.A. Wadham
Gibbs, Hen. H. M.A. Exeter
„ T. C. M.A. Trinity
Gibson, Arthur, M.A. Queen's
Gildea, Wm. M.A. Exeter
Gilderdale, J. S. M.A. Oriel
Giles, John D. M.A. Corpus
„ Edwin, M.A. St. John's
Gill, D. C. M.A. St. John's
Gilliat, J. S. M.A. University
Gladstone, T. Bart. M.A. Ch. Ch.
„ David T. M.A. Wadham
Glanville, H. C. M.A. Exeter
Glencross, J. M.A. Balliol
Glenn, Richard, M.A. Worcester
Glynne, H. M.A. Ch. Ch.
„ S. R. Bart. M.A Ch. Ch.
Gobat, Samuel B. M.A. Trinity
Godber, J. H. M.A. Pembroke
Godby, C. H. D.C.L. Lincoln
Goddard, H. N. M.A. Brasenose
„ D. W. M.A. Exeter
Godfray, F. D.C.L. Wadham
Godsell, Geo. M.A. Magdalen Hall
Godson, A. F. M.A. Queen's
„ A. R. M.A. St. John's
Goe, F. F. M.A. Magdalen Hall
Goff, G. J. M.A. St. John's
Goldney, Samuel, M.A. Pembroke
Goldsmith, E. H. M.A. Corpus
Good, Chas. P. M.A. Exeter
Gooday, R. S. M.A. Exeter
Goodlake, T. W. M.A. Pembroke
Gordon, G. M.A. Brasenose
„ Arthur P. M.A. Ch. Ch.

Gordon, O. B D. Ch Ch.
„ Alex. M.A. Magdalen Hall
Gore, C. Fred. M.A. St. John's
Gore-Langton, Wm. H. P. M.A. Ch. Ch.
Goring, John, M.A. Ch. Ch.
Gosling, Robert, M.A. Ch. Ch.
Goss, J. M.A. Exeter
Gossett, I. H. M.A. Exeter
Goulburn, E. M. D.D. Merton
Gould, Joseph, M.A. Balliol
Govett, A. F. M.A University
Grant, Wm. M.A. Brasenose
Grantham, T. B D. Magdalen
Gray, R. H. M.A. Ch. Ch.
„ Fred. H. M.A. Lincoln
„ John H. M.A. Magdalen
„ Arthur, M.A. University
„ W. T. B. M.A. Worcester
Greaves, R. W. M.A. Wadham
Green, Geo. Dewe, M.A. Balliol
„ Jas. W. M.A. Balliol
„ J. W. E. M.A. Balliol
„ Thos. M.A. Ch. Ch.
„ M. J. B.D. Lincoln
„ T. R. M.A. Lincoln
Greenall, Richard, M.A. Brasenose
Greene, T. H. M.A Balliol
Greenhill, W. R. M.A. Magdalen Hall
Greenwood, J. M.A. Ch. Ch.
„ H. M.A. Magdalen
Gregory, R. M.A. Corpus
Gresley, Wm. M.A. Ch. Ch.
Greswell, W. M.A, Balliol
„ Clement, M.A. Oriel
Gretton, W. H. M.A. Pembroke
Grey, William, M.A. Brasenose
Grice, Wm. M.A. University
Griffinhoofe, T. J. M.A. Pembroke
Griffith, C. A. M.A. New College
„ Charles, M.A. Wadham
Grimston, E. H. M.A. All Souls
Grove, H. C. M.A. University
Gunning, G. W. M.A. Brasenose
Gurney, W. M.A. St. Edmund Hall
„ A. W. M A. Lincoln
Guy, F. B. M.A. Lincoln

Haddan, T. H. M.A. Exeter
„ A. West, B.D. Trinity
Hadley, W. S. M.A. Queen's
Hadow, Geo. M.A. Balliol
Haines, H. M.A. Exeter
Hale, Robert, M.A. Brasenose
Hall, A. Hall, M.A. Balliol
Hall, John R. M.A. Ch. Ch.
„ John, B.D. St. Edmund Hall
„ W. M.A. St. Edmund Hall
„ John S. M.A. Lincoln
„ Edw. V. M.A. Magdalen
„ E. D. M.A. Pembroke
Hallifax, J. S. M.A. Trinity
Hallward, T. W. O. M.A. University
Hambleton, J. M.A. St. Edmund Hall
Hambrough, W. M.A. Ch. Ch.
Hamilton, L. R. M.A. Ch. Ch.
Hannah, J. D.C.L. Lincoln
Harding, G. S. M.A. Brasenose
„ David, M.A. Exeter
„ T. H. D.D. Wadham
„ Thos. M.A. Worcester
Hardy, Gathorne, M.A. Oriel
„ Hen. H. M.A. University
„ J. P. M.A. Wadham
Hare, Edw. M. M.A. Trinity
Harington, R. M.A. Ch. Ch.
„ H. D. M.A. Exeter
Harker, Wm. M.A. Magdalen Hall
Harper, H. D. M.A. Jesus
„ E T. H. M.A. Pembroke
Harries, J. H. A. M.A. Trinity
Harris, C. A. M.A. All Souls
„ G. C. M.A. Exeter
„ Geo. H. M.A. Exeter.
„ Henry, B D. Magdalen
„ Thomas, B.D. Magdalen
„ Wm. H. M.A. Pemboke
Harrison, W. M.A. Brasenose
„ Benjamin, M.A. Ch. Ch.
„ J. P. M.A. Ch. Ch.
„ Michael, B.D. Corpus
„ J. B. B.D. Magdalen
„ L. J. M.A. University
Hartley, C. M.A. St. John's
Harvey, Chas. M. M.A. Ch. Ch.
„ E. R. B.M. Ch. Ch.
„ Hen. A. M.A. Ch. Ch.

Harvey Richard, M.A. St. John's
Harwood, T. E. M.A. Ch. Ch.
Hathaway, E. P. M.A. Queen's
Hautenville, R. W. M.A. University
Haverfield, Wm. R. M.A. Corpus
Hawkes, Richard H. M.A. Pembroke
„ A. M.A. Wadham
Hawkins, Ernest, B.D. Exeter
„ Wm. B. L. M.A. Exeter
„ E. W. M.A. Pembroke
„ Robert, M.A. Pembroke
Hayden, H. G. M.A. Jesus
Hayes, J. W. Bart. M.A. Wadham
Haygarth, H. W. M.A. Exeter
Hayman, H. B.D. St. John's
Hayne, R. J. M.A. Exeter
Hayter, C. F. M.A. Magdalen Hall
Hayton, Geo. M.A. Queen's
Hayward, Hen. R. M.A. Pembroke
Hearn, T. J. M.A. New College
Heatley, H. D. M.A. St. John's
Heaton, Hugh E. M.A. Jesus
Heaven, H. G. M.A. Trinity
Heawood, J. R. M.A. All Souls
„ Edw. B. M.A. Ch. Ch.
Hellicar, A. G. M.A. Wadham
Hellins, J. M.A. All Souls
Helmore, T. M.A. Magdalen Hall
Hemsted, S. M.A. St. John's
Henderson, W. G. D.C.L. Magdalen
„ James A. M.A. Queen's
Hendage, G. H. W. M.A. Ch. Ch.
Henley, Joseph W. M.A. Magdalen
Henniker, R. M.A. Trinity
Hepburn, F. R. M.A. Ch. Ch.
Herbert, G. W. M.A. Exeter
Herrick, Wm. M.A. University
Hesketh, C. M.A. Trinity
Heslop, G. H. M.A. Queen's
„ Gordon, M.A. Queen's
Hessey, F. D.C.L. St. John's
Hewett, John P. M.A. Pembroke
Heygate, W. U. M.A. Merton
„ W. E. M.A. St. John's
Hickley, J. G. B.D. Trinity
Higgins, W. H. M.A. Lincoln
Higgs, R. D.C.L. St. John's
Hiley, R. W. M.A. St. Mary Hall
Hill, Richard, M.A. Balliol
„ Edward, M.A. Ch. Ch.
„ J. Edw. M.A. Ch. Ch.
„ Edw. M.A. St. Edmund Hall
„ Geo. M.A. St. Edmund Hall
„ Edward, M.A. Magdalen
„ R. H. D.C.L. Magdalen
„ Nicholas F. M.A. New College
„ A. S. D.C.L. St. John's
„ C. J. M.A. St. John's
„ Thos. B. M.A. Wadham
Hilliard, J. S. M.A. St. John's
Hilton, H. D. M.A. St. John's
„ A. D. M.A. Wadham
„ Henry, M.A. Worcester
Hinde, Edm. M.A. Queen's
„ W. H. F. M.A. University
Hodgson, Octavius A. M.A. Magdalen
„ R. M.A. Queen's
„ Wm. M.A. Queen's
„ Wm. M.A. Wadham
Hodson, G. M.A. Magdalen Hall
Holbech, C. W. M.A. Balliol
Holden, Henry, D.D. Balliol
Holdich, T. P. M.A. Balliol
Holdsworth, T. H. M.A. Brasenose
„ W. D D. Lincoln
Holford, John H. M.A. Wadham
Holland, J. M. M.A. New College
Holme, J. W. M.A. Wadham
Holmes, A. J. M.A. Oriel
Holt, J. M. M.A. Ch. Ch.
Holthouse, C. S. M.A. St. John's
Hony, Wm. E. B.D. Exeter
Hook, W. F. D.D. Ch. Ch.
Hope, C. A. M.A. Exeter
Hopkins, R. J. M.A. Balliol
„ John, M.A. St. John's
Hopton, John, M.A. Brasenose
Hopwood, W. Wm. M.A. Pembroke
„ John T. M.A. Trinity
Hordern, A. M.A. University
Horlock, H. D.D. Magdalen Hall
Hornby, Chas. E. M.A. Ch. Ch.
Hoskins, Edgar, M.A. Exeter
„ William, M.A. Trinity
„ Henry J. M.A. University
Hoskyns, J. L. M.A. Magdalen
Hotham, W. F. M.A. All Souls
Houblon, T. A. M.A. Oriel

How, W. W. M.A. Wadham
Howard, R. H. M.A. Ch. Ch.
Hoyland, John, M.A. Worcester
Hugessen, H. T. K. M.A. Trinity
Hughes, Robert V. M.A. Jesus
„ Wm. H. M.A. Lincoln
„ James R. M.A. New College
„ Albert, M.A. St. John's
Hulme, Wm. M.A. Balliol
Hulse, E. Bart. M.A. All Souls
Humbert, L. M. M.A. St. John's
Humfrey, James, M.A. Trinity
Hunt, T. H. M.A. Ch. Ch.
„ R. S. M.A. Exeter
Hunter, P. Bart. M.A. St. John's
„ Wm. B.D. St. John's
Huntingford, G. W. M A. New College
Huntley, O. C. M.A. Exeter
Hussey, Thos M.A. Brasenose
„ A. L. M.A. Ch. Ch.
„ W. L. M.A. Ch. Ch.
„ James Mc. M.A. Exeter
Hutchings, R. S. M.A. Ch. Ch.
„ W. H. M.A. Magdalen Hall
Hutchins, C. G. M.A. Magdalen Hal
Hutchinson, C. G. M.A. Ch Ch.

Iles, John H. M.A. Lincoln
Inge, George, M.A. All Souls
„ W. M.A. Worcester
Ingham, Joshua, M A. University
Ingram, H. M.A. Ch. Ch.
Innes, John B. M.A. Trinity
Irby, L. C. R. M.A. Brasenose
Irons, W. J. D.D. Queen's
Irvine, Alex. C. M.A. Balliol
Irving, John, M.A. Worcester
Isham, Arthur, M A. All Souls

Jackson, J. C. M.A. St. John's
„ F. G. M.A. Trinity
Jacob, Philip, M.A. Corpus
„ G. A. D.D. Worcester
James, Thomas, M.A. Ch. Ch.
„ T. H. M.A. Exeter
„ R. W. M.A. Pembroke
„ John, M.A. Queen's
„ Edw. M.A. St. John's
„ John, D.D. St. John's
Jebb, Gamsel, M.A. Lincoln
Jeffreys, H. A M.A. Ch. Ch.
Jelf, Richard Wm. D.D. Ch. Ch.
„ A. R. M.A. Ch. Ch.
„ Geo. E. M.A. Ch. Ch.
Jenkins, Clarke, B.D. Lincoln
„ John C. M A. Lincoln
„ Henry, B.D. Magdalen
Jenkyns, Henry, D.D. Oriel
Jerram, S. J. M.A. Worcester
Jervoise, F. Ellis, M.A Merton
Jodrell, E. R. Bart. M.A. Queen's
Johnson, F. P. M.A. Ch. Ch.
Johnston, W. B. M.A. Ch. Ch.
Jones, W. Bence, M.A. Balliol
„ H. C. M.A. Ch. Ch.
„ C. W. F. M.A. Jesus
„ David, M.A Jesus
„ Hugh, D.D. Jesus
„ S. Flood, M.A. Pembroke
„ Wilding, M.A. Trinity
„ D. S. M.A. University
Jones-Bateman, R. L. M.A. New. Coll.
Joseph, Alex. M.A. Brasenose
Jourdain, F. M.A. Pembroke
Jowett, J. F. B.D St. John's
Joy, Samuel, M.A. Worcester
Joyce, F. H. M.A. Ch. Ch.
„ J. W. M.A. Ch. Ch.
„ Sidney, M.A. Ch. Ch.
„ Charles, M.A. Exeter

Keble, Thomas, B D. Corpus
„ Thomas, M.A. Magdalen
„ John, M.A. Oriel
Keddle, S. S. M.A. Corpus
Keightley, G. W. M.A. Pembroke
Kemble, C. M.A. Wadham
Kemp, John, M.A. St. John's
Kempe, Chas. E. M.A. Pembroke
Kennaway, G. G. M.A. Ch. Ch.
Kent, R. M.A. Brasenose
Kenyon, J. R. D.C.L. All Souls
Kershaw, T. A. M.A. Brasenose
King, John, M.A. Brasenose
„ John W. B.D. Corpus
„ Charles, M.A. Magdalen

King, Fred. M. M.A. Pembroke
„ Chas. Wm. M.A. Trinity
Kitson, F. J. B.D. St John's
Knapp, Tyrrell, M.A. Exeter
Knight, Chas. R. M.A. Wadham
„ Wm. M.A. Worcester
Knollys, F. M. D.D. Magdalen
Knott, J. W. M.A. Brasenose
Knox, H. G. A. M.A. Exeter

Lace, John Wm. M.A. University
Lacy, Charles, M.A. Ch. Ch.
La Font, O. R. M.A. St. John's
Lakin, J. M. M.A. Worcester
Lambert, W. H. M.A. Merton
„ Anthony L. M.A. Trinity
Landon, J. T. B. M.A. Magdalen
Lane, Charles, M.A. Queen's
Langford-Sainsbury, S. M.A. Trinity
„ T. E. M.A. Trinity
Langhorne, C. J. M.A. Balliol
„ T. M.A. St. John's
Langstaff, G. W. M.A. Magdalen Hall
Langworthy, J. M.A. Magdalen Hall
Latham, Richard, M.A. Brasenose
Lathbury, D. C. M.A. Brasenose
Latimer, G. B. P. M.A. Pembroke
Lavie, Germain, M.A. Ch. Ch.
Law, A. P. M.A. New Inn Hall
Lawford, H. S. M.A. Ch. Ch.
Lawrell, John, M.A. Merton
Lawrence, C. Wm, M.A. New College
„ N. G. M. M.A. Queen's
Leach, Thomas, M A. Merton
Lear, Francis, M A. Ch. Ch.
Leay, W. M.A. St. Edmund Hall
Lechmere, A. Berwick, M.A. Ch. Ch.
„ E. A. H. Bart. M.A. Ch. Ch.
Lee, Matthew H. M.A. Brasenose
„ Philip H. M.A. Brasenose
„ Godfrey B. M.A. New College
„ John, M.A. Pembroke
Leeson, Hen. B. D.M. Trinity
Lee-Warner, G. B. M.A. Brasenose
Le Feuvre, P. A. M.A. Wadham
Legard, F. D. M.A. University
Le Geyt, Chas. J. M.A. Magdalen
Legge, H. D.C.L. All Souls
„ E. H. M.A. Ch. Ch.
Leigh, T. G. M.A. Brasenose
Le Marchant, W. H. M.A. Exeter
Le Mesurier, J. T. H. M.A. Brasenose
„ John, M.A. Ch. Ch.
„ G. F. M.A. Exeter
Lempriere, Chas. D.C.L. St. John's
„ Algernon T. M.A. Trinity
Lethbridge, E. C. M.A. Magd. Hall
Leveson-Gower, G. W. G. M.A. Ch.
Levien, Edw. M.A. Balliol
„ John, M.A. Wadham
Lewis, Lewis, M.A. Jesus
„ Wm. H. M.A. Jesus
„ Lewis W. M.A. Lincoln
„ Geo. B. M.A. Oriel
„ Foster, M.A. St. John's
„ Wm. L. M.A. Trinity
Lewthwaite, G. M.A. University
Ley, Jacob, P.D. Ch. Ch.
„ John, B.D. Exeter
„ W. Hen. M.A. Trinity
Liddon, John, M.A. Ch. Ch.
Lilley, Edmund, B.D. Worcester
Lillington, Fred. M.A. Brasenose
Lingard, R. R. M.A. Brasenose
Linwood, W. M.A. Ch. Ch.
Little, Thomas P. M.A. Trinity
Livingstone, T. G. M.A. Magd. Hall
Llewelyn, J. T. D. M.A. Ch. Ch.
Lloyd, Alexander O. M.A. Trinity
Lock, Chas. S. M.A. Balliol
Lomas, H. M.A. St. Mary Hall
Long, Wm. M.A. Balliol
Loveday, George, M.A. Brasenose
„ Thomas, B.D. Magdalen
Lowe, Edw. C. D.D. Lincoln
Lucas, W. H. M.A. Brasenose
Luttman-Johnson, W. H. R. M.A. Trin.
Lyall, W. H. M.A. St. Mary Hall
Lys, John T. B.D. Exeter

McCarogher, J. O. M.A. Magdalen
McCaul, A. I. M.A. St. John's
MacCheane, J. H. M.A. Lincoln
McDouall, P. G. M.A. Ch. Ch.
„ W. S. M.A. Ch. Ch.
McDouall, R. S. M.A. Lincoln
Macfarlane, J. D. M.A. St. Edmund Hall
„ W. C. M.A. Magdalen Hall
Mackarness, J. F. M.A. Exeter
„ G. R. M.A. Merton
Mackenzie, R. B. M.A. Exeter
„ Henry, M.A. Pembroke
„ C. M.A. Pembroke
Mackness, G. M.A. Lincoln
Mackonochie, A. H. M.A. Wadham
Maclachlan, E. H. M.A. Pembroke
Maclure, E. C. M.A. Brasenose
Macphail, E. W. St. M. M.A. Jesus
Macrorie, W. K. M.A. Brasenose
Madan, S. M.A. Ch. Ch.
Maddock, H. W. M.A. Brasenose
Mahon, G. M.A. Magdalen Hall
Malan, S. C. M.A. Balliol
Mallam, B. M.A. St. John's
Manclarke, R. P. M.A. Wadham
Manley, J. J. M.A. Exeter
Manning, F. J. D.D. Lincoln
Mansfield, A. M A. Ch. Ch.
Mapleton, H. M. M.A. St. John's
„ R. J. M.A. St. John's
Markham, T. H. M A. Brasenose
Marriott, John, M.A. Oriel
Marsh, W. D.D. St. Edmund Hall
Marshall, James, M.A. Ch. Ch.
„ Jenner, M.A. Worcester
Marsham, C. M.A. Ch. Ch.
„ J. J. M.A. Ch. Ch.
„ C. D. B. M.A. Merton
„ C. J. B. M.A. Merton
„ R. H. B. M.A. Merton
Martelli, C. H. A. M.A. Trinity
Martin, J. J. M.A. All Souls
„ Richard, M.A. Exeter
Martyn, C. J. M.A. Ch. Ch.
„ T. M.A. Queen's
Marvin, W. H M.A. St. John's
Massingberd, F. C. M.A Magdalen
Master, Geo. S. M.A. Brasenose
„ Oswald, M.A. Brasenose
Maude, Ralph, M.A. Brasenose
Maule, G. N. M.A. St. John's
„ T. C. B.D. St. John's
May, Henry T. M.A. New College
Mayo, Chas. T. M.A. Balliol
Mayow, M. W. M.A. Ch. Ch.
Medland, Thos. B.D. Corpus
Mence, Richard, M.A. Trinity
Merrefield, G. N. M A. Magdalen Hall
Merriman, W. H. R. M.A. Brasenose
„ H. G. D.D. New College
Mertens, F. D. M. M.A. Queen's
Mesham, A. B. B.D. Corpus
Messenger, J. F. M.A. Lincoln
Meynell, Henry, M.A. Brasenose
Meyrick, Edw. M.A. Magdalen
„ Fred. M.A. Trinity
Middleton, S. M.A. Balliol
„ H. O. M.A. St Mary Hall
Midwinter, N. M.A. Magdalen Hall
Miles Lomas, M.A. Queen's
Milford, R. N. M.A. Balliol
Millard, F. M. M.A. Magdalen
Miller, Jas. W. M.A. Exeter
„ Charles, M.A. Magdalen
„ E. Mansell, M.A. Magdalen
„ Henry, M.A. Magdalen
„ Wm. Sand, M.A. New College
„ John R. M.A. Trinity
Mills, Thos. Wilgress, M A. Brasenose
„ Alfred W. M.A. Lincoln
„ Robert T. M.A. Magdalen
„ William W. M.A. Wadham
Milman, Wm. H. M.A. Ch. Ch.
Milner, H. B. W. M.A. All Souls
Milnes, N. B. M.A. Trinity
Minchin, H. H. M.A. Wadham
Mirrielees, W. M.A. Queen's
Mitchell, J. M.A. All Souls
„ Henry, M.A. Lincoln
Mitchinson, J. M.A. Pembroke
Moberly, Geo. D.C.L. Balliol
Molesworth, R. F. W. M.A. Brasenose
„ J. E. N. D.D. Trinity
Molony, C A. M.A. Lincoln
Monckton, I. G. M.A. Wadham
Monkhouse, A. W. M.A. Magd. Hall
Monnington, G. M.A. Worcester
Moon, E. G. M.A. Magdalen
Moor, John F. M.A. Oriel
Moore, Edw. M.A. Brasenose
„ Peter H. M.A. Brasenose
Moore, Edw. M.A. Ch. Ch.
„ Geo. B. M.A. Ch. Ch.
„ J. W. M.A. Exeter
„ Joseph, M.A. Lincoln
„ Wm. C. M.A. St. John's
„ Henry, M.A. Worcester
Moorsom, J. R. M.A. University
Morgan, C. A. S. M.A. Ch. Ch.
„ Arthur M. M.A. Exeter
„ Morgan, M.A. Jesus
„ Edm. J. M.A. Wadham
Morland, W. C. M.A. Ch. Ch.
Morrall, J. M.A. Brasenose
Morrell, T. B. D.D. Balliol
„ R. P. M.A. Magdalen
„ G. K. D.C.L. St. John's
Morris, Robert, M A. Ch. Ch.
„ T. E. M.A. Ch. Ch.
„ George, M.A. Corpus
„ Fred. P. M.A. Lincoln
„ J. Lewis, M.A. Worcester
Mortimer, T. G. M.A. Jesus
„ Wm. M.A. Worcester
Morton, W. M.A. Trinity
Moultrie, G. M.A. Exeter
Mount, W. G. M.A. Balliol
„ Chas. B. M.A. New College
Mowbray, J. R. M.A. Ch. Ch.
Moysey, F. L. M.A. Ch. Ch.
Mozley, J. B. B.D. Magdalen
Muckleston, R. M.A. Worcester
Mules, Philip, B D. Exeter
Munn, G. S. M.A. Trinity
Mure, P. W. M.A. Ch Ch.
Murray, F. H. M.A. Ch. Ch.
„ Herbert H. M.A. Ch. Ch.

Naghten, A. R. M.A. Worcester
Nash, G. L. M.A. Ch. Ch.
„ James, M.A. Trinity
„ T. A. M.A. Worcester
Neale, F. M.A. Alban Hall
Neate, Arthur, M.A. Trinity
Nelson, J. P. M.A. Exeter
Nettleship, A. M.A. Trinity
Nevile, C. M.A. Trinity
Nevill, H. R. M.A. University
Newbolt, W. H. M.A. New College
Newcomb, E. J. M.A. Magdalen Hall
Newdigate, A. M.A. Ch. Ch.
„ C. J. M.A. Ch. Ch.
Newington, Philip, M.A. Worcester
Newman, T. H. D.D. Magdalen
„ H. B. M.A. Wadham
„ W. J. M.A. Wadham
Nicholl, E. Powell, M.A. Brasenose
„ J. R. M.A. Exeter
„ S. H. F. M.A. St. John's
Nicholson, H. J. B. D.D. Magd. Hall
„ Wm. M.A. Trinity
Nind, P. H. M.A. Ch. Ch.
Nixon, F. R. D.D. St. John's
Noad, G. F. D.C.L. Worcester
Norman, Richard W. M.A. Exeter
„ John B. M.A. Queen's
Norris, H. M.A. Balliol
„ Wm. F. M.A. Trinity
Northcote, S. H. Bart. M.A. Balliol
„ Geo B. M.A. Exeter
Northey, E. W. M.A. Corpus
Nowell, A. D. M.A. Brasenose
„ Thos. W. M.A. Brasenose
„ Will. A. M.A. Brasenose
Nutt, J. W. M.A. All Souls
„ C. M.A. Magdalen
„ C. H. M.A. Magdalen

Oakley, C. E. B C.L. Magdalen
Oates, John, W. M.A. Ch. Ch.
Ogle, J. A. M.A. Brasenose
„ J. W. D.M. Trinity
„ Wm. R. M.A. Trinity
Oldham, J. R. M A. Oriel
Oldrid, J. H. M.A. Magdalen Hall
Olive, J. M.A. Wadham
Oliver, F. W. M.A. Ch. Ch.
Olivier, H. A. M.A. Balliol
Ommaney, E. A. M.A. Exeter
Openshaw, T. W. B.A. Brasenose
Orde, Jas. Henry, M.A. Oriel
„ C. W. M.A. University
Orger, E. R. M.A. Pembroke
Omerod, Arthur S. M.A. Exeter
Ormsby, W. A. M.A. University
Orr, Alex. M.A. Oriel
Osborn, M. F. F. M.A. Merton
Oswald, H. M. M.A. Ch. Ch.
Otter, John, M.A. St. Mary Hall
Ottley, F. J. M.A. Oriel
Ouseley, F. A. G. Bart. M.A. Ch. Ch.
Overton, I. G. B.D. Corpus
Owen, L. W. M.A. Balliol
„ J. M. D. M.A. Brasenose
„ Briscoe, B.D. Jesus
„ Edward, B.D. Jesus
„ Hugh D. M.A. Jesus
„ Wm. M.A Magdalen Hall

Packe, W. J. M.A. Ch. Ch.
Packer, Arthur, M.A. St. Edmund Hall
Paddon, H. M.A. Trinity
Page, C. W. M.A. Ch. Ch.
„ Vernon, M A. Ch. Ch.
„ Wm. E. M D. Ch. Ch.
Paget, E. H. M.A. St. John's
Pain, J. L. M.A. Brasenose
„ Thos. H. M.A. Brasenose
Pallett, Thos. C. M.A. Lincoln
Palmer, Felix, M.A. Brasenose
„ G. T. M.A. Brasenose
„ H. M.A. Ch. Ch.
„ Richard, M.A. Ch. Ch.
„ Parham Francis, M.A. Ch. Ch.
„ G. H. M A. Exeter
„ J. N. M.A. St. John's
„ J. N. M.A. St. John's
Pantin, T. P. M.A. Queen's
Papillon, John, M.A. University
Pardoe, G. M.A. St. John's
Parham, Francis, M.A. Ch. Ch.
Parker, William, M.A. New College
„ C. F. M.A. Pembroke
„ Edwin J. B.D. Pembroke
„ Fred. W. M.A. Pembroke
„ Richard, M.A. Queen's
Parsons, H. M.A. Balliol
„ F. J. B.D. Magdalen
Partington, C. E M.A. Worcester
Partridge, W. M.A. Ch. Ch.
Pascoe, R. C. M.A. Exeter
Patey, G. P. H. M.A. Lincoln
Paul, G. W. M.A. Magdalen
Payne, Edward, M.A. New College
„ Alfred, M.A. Trinity
„ Arthur Fred. M.A. Trinity
Peace, P. B.D. Worcester
Pearman, A. J. M.A. Pembroke
„ Morgan T. M.A. Pembroke
Pears, Edm. W. M.A. Magdalen
Pearse, Thos. B D. Magdalen
Pearson, Thos. M.A. Queen's
„ G. F. M.A. Worcester
Pedder, Edw. M.A. Brasenose
„ Wilson, M.A. Brasenose
Peel, A. L. M.A. All Souls
„ Edm. M.A. Brasenose
„ John, D.D. Ch. Ch.
„ Chas. S. M.A. Worcester
„ Fran. W. M.A. Worcester
Pellew, G. D.D. Corpus
Penny, Chas. D.D. Pembroke
„ E. L. M.A. Pembroke
„ Edw. M.A. St. John's
Penrhyn, O. H. L. M.A. Balliol
Perkins, Chas. M. M.A. Lincoln
„ William, M.A. Lincoln
Perring, Philip, Bart. M.A. Brasenose
Perry, G. Gresley, M.A. Lincoln
„ F. R. M.A. University
„ W. Parker, M.A. Wadham
Petch, Geo. M.A. Trinity
Peyton, T, G. M.A. St. John's
Phelps, W. W. M.A. Corpus
Phillipps, F. Ll. L. M.A. Brasenose
„ J. E. M.A. Ch. Ch.
„ Henry, M.A. Queen's
Philips, G. H. M.A. Brasenose
„ Francis, M.A. Ch. Ch.
„ Geo. H. M.A. Ch. Ch.
Phillimore, G. M.A. Ch. Ch.
Phillips, C. P. M.A. Ch. Ch.
„ F. P. M.A. Ch. Ch.
„ Wm. P. T. M.A. Exeter
„ H F. M.A. University
Phillot, H. W. M.A. Ch. Ch.
„ Francis, M.A. St. John's
Pickford, E. M. M.A. Brasenose
Pigot, J. T. M.A. Brasenose
Plater, Herbert, M.A. Merton
Platt, William, M.A. Brasenose
Plenderleath, W. C. M.A. Wadham
Plummer, J. T. M.A. Brasenose

Plumptre, E. H. M.A. Brasenose
„ H. W. M.A. University
„ Robert W. M.A. University
Podmore, T. M.A. St. John's
Pole, Richard, M.A. Balliol
Polehampton, E. M.A. Pembroke
„ T. M.A. Pembroke
Ponsford, Wm. M.A. Trinity
Ponsonby, F. M.A. Merton
Poole, A. M.A. St. Edmund Hall
„ Fred. John, M.A. Worcester
„ Robert H. M.A. Worcester
Pooler, Henry M.A. Ch. Ch.
Poore, John, D.D. Brasenose
Pope, W. L. M.A. Pembroke
Portal, G. R. M.A. Ch. Ch.
„ M. M.A. Ch. Ch.
Portman, F. B. M.A. All Souls
Postlethwaite, J. M.A. Queen's
Pott, Arthur S. M.A. Balliol
„ Francis, M.A. Brasenose
„ Alfred, B.D. Magdalen
Poulter, B. M.A. New College
Povah, Alfred, M.A. Wadham
Powell, J. W. S. M A. St. Edmund Hall
„ Henry, D.M. Exeter
„ J. R. M.A. Jesus
„ E. H. M.A. St. John's
„ Charles, M.A. Trinity
„ Thomas, M.A. Worcester
Power, John, M.A. St. Edmund Hall
Powles, R. C. M A. Exeter
„ H. C. M.A. Oriel
Powley, Matt. M.A. Queen's
Powys, C. R. M.A. St. John's
Poynder, T. H. A. M.A. Brasenose
„ Fred. M.A. Wadham
Poynton, F. J. M.A. Exeter
Pratt, P. E. M.A. Exeter
Prescot, C. K. M.A. Brasenose
Prevost, Geo. Bart. M.A. Oriel
Price, J. M. M.A. All Souls
„ Richard E. M.A. Jesus
„ Thos. M.A. Magdalen Hall
„ Edm. M.A. University
Pritchard, Richard, B.D. Jesus
Prodgers, Edw. M.A. Ch. Ch.
Puckle, John, M.A. Brasenose
Pulling, Wm. M.A. Brasenose
Purrier, H. T. M.A. Magdalen Hall
Purton, John, M.A. Trinity
„ William, M.A. Trinity
Pusey, Hen. B. M.A. Ch. Ch.
„ William B. M A. Oriel
Puxley, Herbert L. M.A. Brasenose
Pyle, Samuel, M.A. Exeter

Quicke, A. M.A. New College

Radcliffe, J. W. M.A. Lincoln
Ralph, J. R. K. M.A Queen's
Ramsay, J. H. M.A. Ch. Ch.
Randall, R. W. M.A. Ch. Ch.
„ Jas. L. M.A. New College
„ James, M.A. Trinity
Randolph, E. J. M.A Ch. Ch.
„ Herb. M.A. Ch. Ch.
„ J. H. M.A. Ch. Ch.
„ L. C. M.A. Ch. Ch.
„ Thos. M.A. Ch. Ch.
„ Wm. C. M.A. Trinity
Ranken, Chas. M.A. Ch. Ch.
„ Chas. E. M.A. Wadham
Rann, R. E. M.A. Queen's
Ravenshaw, T. F. T. M.A. Oriel
Rawdon, J. H. M.A. Brasenose
Rawlins, John, M.A. St. John's
„ T. S. F. M.A. Worcester
Reay, T. O. M.A. Exeter
Redfern, W. T. M.A. Magdalen Hall
Redifer, A. M.A. St. Mary Hall
Reibey, J. H. M.A. Trinity
Remington, R. M.A. Pembroke
Renaud, George, M.A. Corpus
„ William, M.A. Exeter
Rennett, H. P. M.A. Worcester
Rew, Chas. B.D. St. John's
Rhoades, E. J. M.A. Pembroke
Rhodes, H. J. M.A. Corpus
Rice, R. J. H. M.A. Exeter
„ J. M. B.D. Magdalen
„ C. H. M.A. St. John's
Rich, John, M.A. Ch. Ch.
Richards, H. W. P. M.A. Ch. Ch.
„ Edw. T. M.A. Corpus
„ J. W. M.A. Corpus
„ W. U. M.A. Exeter
„ George, D.D. Pembroke
Richardson, H. H. M.A. St. Mary Hall
Richmond, W. A. M.A. Lincoln
Rickards, Samuel, M.A. Oriel
Ricketts, M. H. M.A. Exeter
Riddell, J. C. B. M.A. All Souls
„ James, M.A. Balliol
Ridding, G. M.A. Exeter
„ C. H. M.A. Magdalen
Ridgway, Jas. M.A. Lincoln
Ridley, W. H. M.A. Ch. Ch.
Risley, Robert W. M.A. Exeter
„ John H. B.C.L. New College
„ W. C. M.A. New College
Robbins, John, M.A. Ch. Ch. and N.I.H.
Roberton, J. L. M.A. Magdalen Hall
Roberts, H. M.A. Ch. Ch.
„ R. L. M.A. St. John's
Robertson, D. M.A. Ch. Ch.
„ Wm. D.C.L. Magdalen
„ J. E. P. D.C.L. Magdalen Hall
Robeson, H. M.A. Balliol
Robin, P. R. M.A. Brasenose
Robins, J. W. M.A. St. John's
Robinson, H. M.A. Alban Hall
„ J. E. M.A. Ch. Ch.
„ Francis, M.A. Corpus
„ W. S. M.A. Exeter
„ A. E. M.A. New College
„ John, M.A. Oriel
„ Charles J. M.A. Queen's
„ R. B. M.A. Queen's
Robson, E. H. M.A. Worcester
Rogers, John, M.A. Brasenose
„ E. M.A. Ch. Ch.
„ T. P. M.A. Ch. Ch.
Rolt, John, M.A. University
Rookin, Hen. M.A. Queen's
Roper, T. H. M.A. St. John's
Ross, J. L. M.A. Oriel
Rothwell, R. R. M.A. Brasenose
Routh, John W. M.A. Magdalen
Rowden, Edw. M.A. New College
„ Robert, M.A. Wadham
Rowland, C. B. M.A. St. John's
Rowley, R. M.A. Ch. Ch.
Royds, Edw. M.A. Brasenose
Rusbridger, J. M.A. Wadham
Russell, S. H. B.D. St. John's
„ Thos. M.A. St. John's
Rust, George, M.A. Pembroke
Rutter, E. M.A. Magdalen Hall
Ryde, J. G. M.A. St. John's
Ryder, G. R. M.A. Ch. Ch.
Ryley, Edward, M.A. Trinity

Sage, W. H. M.A. Trinity
St. Aubyn, St. A. M. M.A. Ch. Ch.
St. Ledger, E. F. M.A. Queen's
Sale, C. J. M.A. Lincoln
„ Thomas, D.D. Magdalen
„ T. W. M.A. Wadham
Salmon, H. T. M.A. Exeter
Salt, Thomas, M.A. Balliol
Salwey, Henry, M.A. Ch. Ch.
Sanders, W. S. M.A. Exeter
Sandford, H. R. P. M.A. Magdalen Hall
Sandham, H. M. M.A. St. John's
Sandilands, R. S. B. M.A. Ch. Ch.
Sandys-Lumsdaine, Edwin, M.A. St. John's
Sankey, W. T. M.A. Exeter
„ P. M. M.A. Corpus
„ Richard, M.A. Corpus
Saulez, E. C. P. M.A. St. Mary Hall
Saunders, H. C. M.A. Ch. Ch.
„ A. C. M.A. Pembroke
Savage, W. M.A. Queen's
Savory, Edm. M.A. Oriel
Sayer, J. M.A. Trinity
Scholey, W. S. M.A. St. John's
Scholfield, H. D. D.M. Brasenose
„ P. M.A. University
Sclater-Booth, G. M.A. Balliol
Scott, G. H. C. M.A. Exeter
„ Wm. M.A. Queen's
„ F. C. M.A. St. John's
„ J. H. M.A. Wadham
Scratton, W. M.A. Ch. Ch.
Scrivener, A. M.A. Worcester
Sedgwick, J. D.D. Magdalen
Sellwood, J. B. M.A. St. John's
Sergeant, Edm. W. M.A. Balliol
Severne, J. E. M.A. Brasenose
Sewell, Wm. M.A. New College
Seymer, H. K. D.C.L. All Souls
Seymour, H. F. M.A. All Souls
„ R. M.A. Ch. Ch.
„ Chas. F. M.A. University
Shadwell, A. T. W. M.A. Balliol
Shakespear, W. A. M.A. Exeter
Shand, Geo. M.A. Queen's
Shann, Tho. M.A. University
Shapter, H. D. M.A. Worcester
Sharpe, L. A. B D. St. John's
„ Marm. L. M.A. Worcester
Shaw, G. F. E. M.A. New Inn Hall
„ J. B. M A. New Inn Hall
Sheffield, C. M.A. Ch. Ch.
Shepherd, Francis B. M.A. Oriel
Sheppard, Jas. H. M.A. Queen's
„ John G. D.C.L. Wadham
Shipton, J. N. D D. Balliol
Shirley, E. P. M.A. Magdalen
Shirreff, Samuel B. M.A. Wadham
Shuldham, John, M.A. Ch. Ch.
„ N. Lemuel, M.A. Magdalen
Shute, Henry, M.A. Oriel
„ H. M.A. Pembroke
„ G. B. H. M.A. Wadham
Sibthorp, H. W. M.A. Exeter
Sikes, T. Barr, M.A. St. John's
Silffant, C. W. M.A. St. John's
Silvester, Fred. M.A. St. John's
Simcoe, H. A. M.A. Wadham
Simmons, Thos. F. M.A. Worcester
Simpson, Thos. B. M.A. Lincoln
Sketchley, A. E. D.D. Magdalen Hall
Skey, F. C. M.A. Worcester
Skrine, H. M.A. Wadham
„ H. D. M.A. Wadham
Sladen, E. H. M. M.A. Balliol
Slatter, John, M A. Lincoln
„ William, M.A. Lincoln
Slessor, J. H. M.A. University
Slight, H. S. B.D. Corpus
Slocock, O. Edm. M A. Pembroke
Smallwood, E. B. M.A. Worcester
Smart, New. R. M.A. Ch. Ch.
Smith, Isaac G. M.A. Brasenose
„ Jeremiah, F. M.A. Brasenose
„ King, M.A. Brasenose
„ George, M.A. Exeter
„ Albert, M.A. Lincoln
„ Robert F. M.A. Lincoln
„ William, M.A. Lincoln
„ Harris, D.D. Magdalen
„ John, M.A. Magdalen Hall
„ Villiers C. M.A. New College
„ G. S. F. M.A. Queen's
„ Henry, M.A. Queen's
„ Thos. H. M.A. Queen's
„ Wm. Joseph, M.A. Queen's
„ Fred. M.A. St. John's
„ Edgar G. M.A. Wadham
„ A. E. C. M.A. Worcester
„ Edm. J. M.A. Worcester
Smyth, Christ. M.A. Trinity
„ Wm. M.A. Wadham
Smythe, P. M. M.A. Ch. Ch.
Sneyd, Walter, M.A. Ch. Ch.
Somerset, G. R. H. D.C.L. All Souls
Southby, R. W. M.A. Wadham
Spencer, C. V. M.A. Ch. Ch.
„ Isaac, M.A. St. Mary Hall
Sperling, H. G. W. M.A. Oriel
Stafford, J. C. B.D. Magdalen
Stallard, J. O. M.A. Lincoln
Stanhope, B. L. S. M.A. All Souls
„ W. T. W. S. M.A. Ch. Ch.
Staniforth, T. M.A. Ch. Ch.
Stanley, Edw. M. M.A. Worcester
Stanton, W. D. M.A. Exeter
„ J. J. M.A. St. John's
Stapleton, E. H. M.A. Ch. Ch.
Stapylton, W. C. M.A. Merton
Starkey, A. B. C. B.D. St. John's
Stebbing, T. R. R. M.A. Worcester
Steele, George, M.A. Worcester
Stephens, C. M.A. Balliol
„ R. R. B.C.L. New College
Stephenson, J. H. M.A. Queen's
„ Glanville, M.A. Wadham
Stevens, J. C. M. M.A. Ch. Ch.
Stewart, M. J. M.A. Ch. Ch.
„ J. A. S. M.A. Ch. Ch.
Stobart, H. M.A. Queen's
Stocker, C. W. D.D. St. John's
Stone, Wm. M.A. Brasenose
Stopford, Fred. M. M.A. Ch. Ch.
Stott, G. M.A. Worcester
Stowell, Thos. A. M.A. Queen's
Strange, W. A. D.D. Pembroke
Strangways, H. F. M.A. Wadham
Streatfeild, N. W. M.A. Ch. Ch.
Streeten, E. C. M.A. Queen's
Strong, W. A. M.A. Ch. Ch.
„ T. A. M.A. Exeter
Stroud, John, M.A. Merton
Stubbs, Wm. M.A. Trinity
Sturton, Jacob, M.A. Trinity
Style, C. M. B.D. St. John's
Sulivan, H. W. M.A. Balliol
Sumner, C. M.A. Balliol
„ G. Hen. M.A. Balliol
„ John M. M.A. Balliol
Sutton, R. S. M.A. Exeter
„ Robert, M.A. Exeter
„ F. H. M.A. Magdalen
„ W. H. M.A. St. John's
Swabey, M. C. M. D.C.L. Ch. Ch.
Swainson, O. L. M.A. Brasenose
„ C. L. B.D. St. John's
Swayne, J. M.A. Magdalen Hall
„ R. G. M.A. Wadham
Sydenham, J. G. M.A. Exeter
Symonds, H. M.A. Magdalen Hall

Talbot J. G. M.A. Ch. Ch.
Talman, F. H. D.C.L. Magdalen Hall
Tamplin, G. F. M.A. St. John's
Tancock, O. J. D.C.L. Wadham
Tanner, James, M.A. Pembroke
Tate, Fran. M.A. University
Tatham, G. E. M.A. Merton
Taylor, Henry, M.A. Magdalen Hall
„ R. A. M.A. Magdalen Hall
„ John, M A. Pembroke
„ Chas. J. M.A. St. John's
„ H. A. M.A. St. John's
Teale, T. P. B.M. Brasenose
Temple, Hen. M.A. Brasenose
„ Wm. Hen. M.A. Trinity
Ten-Broeke, A. J. M.A. Magd. Hall
Terry, Chas. M.A. Exeter
„ Francis, M.A. Exeter
Thackeray, F. St. John, M.A. Lincoln
Thackwell, W. H. M.A. Brasenose
„ Stephen, M.A. Pembroke
Theobald, James, M.A. Trinity
Thicknesse, F. H. M.A. Brasenose
Thomas, R. G. M.A. Ch. Ch.
„ Thos. M.A. Jesus
„ E. M.A. Magdalen Hall
„ T. K. M.A. St. John's
„ David, M.A. Worcester
Thompson, H. Bart. M.A. Oriel
„ George, M.A. Oriel
„ Hen. John, M.A. Queen's
Thomson, John, M.A. Exeter
Thorne, Joseph, M.A. Exeter
Thornton, S. M.A. Queen's
„ R. D.D. St. John's
Thornycroft, J. M.A. Brasenose
Thorpe, H. M.A. St. John's
Thursby-Pelham, A. A.M. University
Tidswell, Rich. T. M.A. Worcester
Timbrill, John, D.D. Worcester
Todd, Edw. H. M.A. Worcester
Tomes, Robert, M.A. Magdalen Hall
Tomlins, Richard, M.A. Ch. Ch.
Tompson, J. E. M.A. Ch. Ch.
Topham, J. M.A. Worcester
Topping, G. L. M.A. Brasenose
Townsend, C. H. M.A. Lincoln
Tragett, T. H. M.A. Corpus
Treffry, E. J. M.A. Lincoln
Trevelyan, E. O. M.A. Corpus
„ W. P. M.A. Worcester
Trevennen, T. J. M.A. Magdalen Hall
„ W. J. M.A. Trinity
Trevor, E. M.A. Magdalen Hall
Trimmer, A. A. M.A. St. John's
Trinder, Dan. M.A. Exeter
Tringham, W. M.A. St. John's
Tripp, H. M.A. Worcester
Tristram, H. B. M.A. Lincoln
„ Thomas H. D.C.L. Lincoln
Trye, J. R. M.A. Jesus
„ Henry N. M.A. Pembroke
Tucker, John, B.D. Corpus
Tudor, T. O. M.A. Exeter
Tudway, Hen. M.A. Trinity
Tugwell, G. M.A. Oriel

Tull, Alb. Rich. M.A. Exeter
Tunnard, J. M.A. Exeter
Tupholme, B. S. M.A. Magdalen Hall
Turner, Wm. H. B.D. Corpus
„ Thos. R. M.A. Queen's
„ A. M.A. St. John's
„ Geo. F. M.A. Trinity
Tweed, Robert, M.A. Exeter
Twemlow, T. F. M.A. Ch. Ch.
Tyler, G. G. M.A. Ch. Ch.

Underwood, C. E. M.A. Balliol
„ Richard, M.A. St. John's
Unwin, E. W. M.A. Pembroke
Utterton, J. S. M.A. Oriel

Valentine, W. M.A. Worcester
Vanderstegen, W. H. M.A. Brasenose
Vaughan, A. C. C. M.A. Worcester
Vaux, W. S. W. M.A. Balliol
Vawdrey, D. M.A. Brasenose
Veck, H. A. M.A. Magdalen Hall
Vernon, W. H. M.A. Magdalen Hall
Veysie, Dan. B.D. Ch. Ch.
Villar, J. G. M.A. Worcester
Vincent, Fred. M.A. Brasenose
„ Richard, M.A. Brasenose
„ Wm. M.A. Ch. Ch.
Vores, Thos. M.A. Wadham

Waddington, G. G. M.A. New College
Walford, J. H. N. M.A. Ch. Ch.
Walker, Sam. H. M.A. Balliol
„ Joseph, M.A. Brasenose
„ Joseph, M.A. Brasenose
„ Fred. J. M.A. Exeter
„ Rich. Z. M.A. Magdalen
„ H. A. M.A. Oriel
„ T. A. M.A. St. John's
„ James, M.A. Trinity
„ John R. M.A. University
„ Robert H. M.A. Wadham
Wallace, C. H. M.A. Pembroke
Waller, Edm. M.A. Brasenose
„ Ernest A. M.A. Trinity
Walsh, Digby, M.A. Balliol
„ J. H. A. M.A. Balliol
Walters, C. M.A. Magdalen Hall
„ Chas. M.A. Merton
Warburton, Mark, B.D. Queen's
Ward, W. A. P. M.A. Oriel
„ E. J. M.A. Trinity
Waneford J. H. M.A. Worcester
Warner, Rich. Edw. M.A. Exeter
„ D. F. B.D. Magdalen Hall
„ Charles, M.A. Worcester
Warren, R. P. M.A. Exeter
„ F. K. M.A. Oriel
Warry, G. Deedes, M.A. Trinity
Wasey, J. S. M.A. Trinity
Waters, E. T. M.A. Worcester
Watkin, J. W. D.C.L. St. Edmund Hall
Watkins, M. G. M.A. Exeter
„ H. G. M.A. Worcester
Watson, George, M.A. Trinity
Watts, R. Rowley, M.A. University
Wauchope, D. M.A. Wadham
Webb, Perceval, M.A. All Souls
„ R. James, M.A. Lincoln
Webster, Mont. M.A. Lincoln
Weigall, E. M. M.A. Pembroke
Welby, W. H. E. M.A. Corpus
Welldon, J. I. D.C.L. St. John's
West, R. T. M.A. Ch. Ch.
„ W. E. S. M.A. Ch. Ch.
„ Henry, M.A. Exeter
„ Geo. M.A. Magdalen Hall
Westoby, A. M.A. St. Edmund Hall
Wetherell, W. B.C.L. New College
Wharton, J. M.A. Queen's
„ Joseph C. M.A. Worcester
Wheeler, G. D. M.A. Wadham
„ T. L. M.A. Worcester
Whitaker, John A. M.A. St. John's
White, A. L. M.A. Balliol
„ John T. M.A. Corpus
„ F. G. M.A. Lincoln
„ John, M.A. Lincoln
„ Robert M. D.D. Magdalen
„ Glyd, M.A. Oriel
„ F. L. G. M.A. Worcester
Whitehead, T. M.A. Exeter
„ William, M.A. Worcester
Whitelock, R. M.A. Lincoln
Whitfield, G. T. M.A. St. John's
Whitlock, G. S. M.A. Brasenose
„ J. A. M.A. Brasenose
Whittingham, S. D.D. Corpus
Whorwood, T. H. D.D. Magdalen
Wickens, James, M.A. Ch. Ch.
Wickham, E. D. M.A. Balliol
„ Latham, M.A. Ch. Ch.
„ Fred. P. M.A. New College
„ H. J. M.A. New College
Wigan, W. L. M.A. Ch. Ch.
„ A. M.A. St. John's
Wightwick, H. M.A. Pembroke
Wilberforce, W. F. M.A. University
Wild, Marshall, M.A. Queen's
Wilder, H. B. M.A. Balliol
Wilgress, G. F. M.A. Exeter
Wilkins, Arthur D. M.A. New College
Wilkinson, T. H. M.A. Brasenose
„ W. G. M.A. Worcester
Willett, C. S. M.A. Oriel
Williams, A. J. M.A. Ch. Ch.
„ John, M.A. Ch. Ch.
„ Edw. T. M.A. Exeter
„ John, B.D. Jesus
„ Owen Ll. M.A. Jesus
„ Thomas, M.A. Jesus
„ T. N. M.A. Merton
„ Henry B. M.A. New College
„ C. Th. M.A. Pembroke
„ George G. M.A. Trinity
„ Isaac, B.D. Trinity
„ Thomas J. M.A. University
Willis, Charles F. M.A. Corpus
Willoughby, Edward C. M.A. Oriel
Wills, T. A. M.A. St. John's
Willson, W. W. M.A. St. John's
Wilson, Robert S. M.A. Brasenose
„ W. O. P. M.A. Balliol
„ A. C. M.A. Ch. Ch.
„ John, B.D. Corpus
„ R. F. M.A. Oriel
„ William, D.D. Queen's
„ William, D.D. Wadham
Wimbush, Samuel, M.A. Brasenose
Windle, W. M.A. Magdalen Hall
Wingfield, E. B.C.L. New College
„ Harry, L. M.A. New College
Winter, G. R. M.A. Brasenose
Wintle, R. W. M.A. St. John's
Wise, W. J. M.A. St. John's
„ John, M.A. Wadham
Wither, W. H. W. B. B.C.L. New Coll.
Witts, E. F. M.A. Magdalen Hall
Wix, R. H. E. M.A. New Inn Hall
„ E. M.A. Trinity
Wodehouse, E. H. M.A. Ch. Ch.
„ P. C. M.A. Exeter
„ W. M.A. Merton
Wollocombe, J. B. M.A. Trinity
Wood, Chas. Jas. M.A. Brasenose
„ Robert F. M.A. Brasenose
„ J. R. M.A. Ch. Ch.
„ J. Ryle, M.A. Ch. Ch.
„ William, M.A. Trinity
Woodgate, H. A. B.D. St. John's
Woodhouse, T. M.A. St. John's
Woods, W. L. M.A. St. John's
„ Geo. Hen. M.A. Wadham
Woollam, J. M.A. St. John's
Woollcombe, W. W. B.D. Exeter
„ W. W. M.A. Exeter
Woolmer, C. E. S. M.A. Exeter
Woolward, A. G. M.A. Magdalen
Wordsworth, C. D C.L. Ch. Ch.
Workman, W. K. M.A. Worcester
Worsley, J. H. M.A. Magdalen
Wright, Henry, M.A. Balliol
„ Harry, M.A Magdalen Hall
„ Aug. R. B. M.A. Queen's
„ Wm. M.A. St. John's
„ R. B. M.A. Worcester
Wrottesley, Edw. John, M.A. Univ.
Wyatt, C. F. M.A. Ch. Ch.
„ Henry H. M.A. Queen's
Wykeham, Fiennes, W. S. T. M.A. New College
Wyld, W. T. M.A. Ch. Ch.
Wylie, Geo. M.A. Queen's
„ William J. M.A. Trinity
Wynne, Charles J. M.A. Jesus
Wynter, J. C. M.A. St. John's

Yard, Thos. M.A. Exeter
Yarde-Buller, J. B. M.A. St. Mary Hall
Yonge, J. B. M.A. Balliol
„ Duke, M.A. Exeter
Young, F. M.A. Balliol
„ Henry T. M.A. Balliol
„ N. Barton, M.A. New College
„ W. E. A. M.A. Worcester

Appendix D.

APPENDIX D.

NEW COLLEGE.—OCTOBER TERM, 1870.

Date.			Attendance at Chapel.	Attendance at Roll Call.	Number required to Attend.
October	Saturday	15	44	—	
	Monday	17	38	4	
	Tuesday	18	27	13	58
	Wednesday	19	38	11	
	Thursday	20	36	9	
	Friday	21	34	12	
	Saturday	22	32	14	
	Monday	24	26	17	
	Tuesday	25	31	10	57
	Wednesday	26	31	13	
	Thursday	27	29	14	
	Friday	28	24	18	
	Saturday	29	26	18	
	Monday	30	30	15	
November	Tuesday	1	17	20	57
	Wednesday	2	27	14	
	Thursday	3	27	10	
	Friday	4	27	16	
	Saturday	5	29	14	
	Monday	7	27	14	57
	Tuesday	8	28	13	
	Wednesday	9	27	17	
	Thursday	10	26	19	
	Friday	11	21	13	
	Saturday	12	26	19	
	Monday	14	28	17	57
	Tuesday	15	22	11	
	Wednesday	16	30	18	
	Thursday	17	28	15	
	Friday	18	25	20	
	Saturday	19	27	15	
	Monday	21	30	12	57
	Tuesday	22	31	11	
	Wednesday	23	27	14	
	Thursday	24	30	14	
	Friday	25	25	9	
	Saturday	26	28	13	
	Monday	28	32	11	44
	Tuesday	29	23	9	(13 having already
	Wednesday	30	17	14	kept 30 mornings.)
December	Thursday	1	20	4	
	Friday	2	21	9	
	Saturday	3	20	7	
	Monday	5	25	5	31
	Tuesday	6	13	3	(26 having kept 30
	Wednesday	7	17	7	mornings.)
	Thursday	8	12	2	

AVERAGE ATTENDANCE:

1. At daily Morning Service (about ½) - - - - - - - - 26 in 52
2. At daily Roll Call - - - - - - - -
3. At Holy Communion (every alternate Sunday at 8 a. m.)

Every undergraduate resident in college is requir[illegible] 30 week days in the term of eight weeks, and t[illegible] unless specially excused. *At this service a[illegible]

APPENDIX E.

PAPER handed in by Mr. *Hume*.

ANALYSIS of APPENDIX to REPORT of the Lords Select Committee on UNIVERSITIES TESTS BILL, 1870, as regards FELLOWSHIPS and COLLEGE OFFICERS.

COLLEGE.	Number of Fellows.	Number of Fellows holding College Offices.	Number of Fellows who must be in or proceed to Holy Orders.	Whether Clerical Head and Fellows now necessarily are a Majority.
OXFORD:				
University	13	6 or 7	4	no.
Balliol	11	6	4	no.
Merton	24	8	12	no.
Exeter	15	9	All; or hold office	no.
Oriel	17	4	5	no.
Queen's	19	9	9	yes.
New	40	8 or 9	0	no.
Lincoln	10	3	8 must proceed to	yes.
All Souls (Hansard LXXX, p. 203, no return in Appendix).	30	None, because no Undergraduates.	0	no.
Magdalen	30	10	20	yes.
Brasenose	15	7	6	no.
Corpus Christi	20	6	6	no.
Christ Church (Hansard LXXX. p. 203, the Return in the Appendix is obscure).	28	2 Old Fellows - 10 New Fellows.	19	yes.
Trinity	12	4	4	no.
St. John's	27 Old Fellows - 4 New Fellows -	7 Old Fellows - 2 New Fellows -	15 Old Fellows - Two-thirds New Fellows.	yes.
Jesus	13	8	9	yes.
Wadham	14	5	0	no.
Pembroke	10	9	5	yes.
Worcester	16	6	Two thirds	yes.
CAMBRIDGE:				
St. Peter's	14	3	3	no.
Clare	18	5	6	no.
Pembroke	13	5	4	no.
Caius	32	10	0	no.
Trinity Hall	13	4	3	no.
Corpus Christi	12	7	8	yes.
King's	52	6	0	no.
Queen's	13	3	All must proceed to	yes.
St. Catharine's	9	3 or 4	3	no.
Jesus	16	7	6	no.
Christ's	15	5	10 must proceed to	yes.
St. John's	56	17	All; or hold office	no.
Magdalen	5	3	2	yes.
Trinity (no Return in Appendix)	50	-	All; or hold office	no.
Emmanuel	12	7	4	no.
Sidney	9	All	Half	yes.
Downing	8	4	1	no.

GENERAL RESULT.

OXFORD (19 Colleges)	Colleges having Clerical majority	8
	Colleges not having Clerical majority	11
CAMBRIDGE (17 Colleges)	having Clerical majority	5
	having Clerical majority	12

INDEX

TO

REPORTS

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON

UNIVERSITY TESTS.

Sessions 1870 and 1871.

Ordered, by The House of Commons, *to be Printed,*
19 *May* 1871.

237—I.

ANALYSIS OF INDEX.

ALPHABETICAL and CLASSIFIED LIST of the PRINCIPAL HEADINGS in the following INDEX, with the Pages at which they will be found.

PAGE

ABOLITION OR *RELAXATION OF TESTS:*

1. *Advocacy of Abolition absolutely* - - 1
2. *Advocacy of Relaxation rather than Abolition* - - - - - - - - - 2
3. *Declaration, or Negative Test, recommended by Sir Roundell Palmer* - - - 3
4. *Question of Partial Abolition as regards Fellowships* - - - - - 3
5. *Feeling of Residents and Non-residents of Oxford and Cambridge, respectively* - 4
6. *Resolutions of the Committee* - - - 4

Anti-Religious Teaching - - - - - - - 6
Conscience Clause - - - - - - 18
Dissenters or Nonconformists, 3 - - - 21
Final Classical School (Oxford) - - - 30
Heresy - - - - - - - - - 33
Infidelity and Scepticism - - - - - 34

Baptist College, Regent's Park - - - - - 9

CHAPEL SERVICES:

1. *Concurrence of Evidence as to the Importance of maintaining the Church of England Service in the College Chapels, and as to the Expediency of a positive Enactment on the subject* - - - - - - 11
2. *Suggested Appointment of a Chaplain Fellow by each College* - - - - - - 12
3. *Question of Shortening the Services* - 12
4. *Practice as to Attendance at Chapel: Question of voluntary or compulsory Attendance* - - - - - - - 12
5. *Doubt as to any Grievance under the Bill; limited Value attached to the Chapel Services* - - - - - - - 13
6. *Conclusions of the Committee* - - - 13

Balliol College - - - - - - - 9
Clare College - - - - - - - - 16

Church of England - - - - - - - - 15
Abolition or Relaxation of Tests - - - - 1
Chapel Services - - - - - - - 11
Denominational and Undenominational Colleges - 20
Divinity Professors - - - - - - - 24
Endowments - - - - - - - - 25
Fellowships - - - - - - - - 26
Heads of Colleges - - - - - - - 31

PAGE

Church of England—continued.
Religious Teaching - - - - - - - 49
Roman Catholics - - - - - - - 55
Tutors - - - - - - - - - 61
Vice Chancellor - - - - - - - 63

CLERICAL FELLOWSHIPS:

1. *Present Proportion of Clerical Fellowships* 16
2. *Effect of the Bill as regards these Fellowships; expected Agitation on the subject* - 16
3. *Question of maintaining a certain Proportion of Clerical Fellowships* - - - - 16
4. *Objections to the present System of Election of Clerical Fellows* - - - - - 17

Merton College - - - - - - - - 41

Colleges - - - - - - - - - - 17

Conscience Clause - - - - - - - - 18

Declaration (Negative Test) - - - - - - 20

DENOMINATIONAL AND UNDENOMINATIONAL COLLEGES:

1. *Approval of some Colleges being Denominational and some Undenominational* - - 21
2. *Objections to a System of Denominational and Undenominational Colleges* - - 21
3. *Probability of some Colleges becoming Denominational in the Absence of Tests* - 21

Dissenters, &c., 3 - - - - - - - - 22
Endowments - - - - - - - - 25

DISSENTERS OR NONCONFORMISTS:

1. *Extent of Hardship in the Exclusion of Dissenters by Reason of the Tests* - - 22
2. *Benefits anticipated from a numerous Accession of Dissenters to the Universities* - 22
3. *Conflicting Evidence as to the Effect of an Admixture of Nonconformists and Churchmen in the Governing Bodies of Colleges* - 22
4. *Objections not so much against an Accession of Christian Dissenters, as of Infidels and Sceptics, by an Abolition of Tests* - 22
5. *Increasing Number of Dissenters at the Universities* - - - - - - - 23
6. *Representations generally in Favour of the free Admission of Dissenters* - - - 23
7. *Particulars in connection with Nonconformist Colleges* - - - - - - 23

PAGE

Dissenters or Nonconformists—continued.

Abolition of Tests - 1
Baptist College, Regent's Park - 9
Baptists - 9
Chapel Services - 11
Cheshunt College - 15
Coward's Trust - 20
Davidson, Dr. - 20
Denominational and Undenominational Colleges - 21
Morality - 41
New College (Congregationalists) - 42
Religious Teaching - 49
Small Colleges - 57
Tutors - 61
Unitarians - 62

Divinity Professors - 24
Hulsean Professorship - 33
Norrisian Professorship - 42
Regius Professor of Divinity - 49

Endowments:

1. *Conclusions adverse to Parliamentary Interference, especially as regards post-Reformation Endowments* - 25
2. *Views of Nonconformist Representatives* - 25
3. *Defence of Parliamentary Interference as regards Endowments generally* - 25
4. *Better Security of College Endowments or Property by a Removal of Tests* - 26
5. *Suggested re-distribution of Endowments out of Oxford* - 26
6. *Exceptions taken generally to Religious Endowments* - 26

Denominational and Undenominational Colleges - 21
Downing College - 24
Durham University - 24
Exeter College - 26
Fellowships - 26
Keble College - 36
Morley, Samuel, M.P. - 41
National Institutions - 41
Religious Teaching - 49

Fellowships:

1. *Clerical Fellowships* - 27
2. *Non-resident Fellowships: Objections to which open* - 27
3. *Suggestions relative to the Tenure, &c., of Non-resident and Sinecure Fellowships* - 28
4. *Effect of the Bill as to the Election of Fellows: Suggestions on this subject* - 28
5. *Extent of Exclusion from Fellowships by Reason of Tests* - 28
6. *Suggestions for dividing Fellowships into two Classes, and for exempting one Class from Tests* - 29
7. *Statistics relative to Fellowships at Oxford and Cambridge respectively* - 30
8. *Resolutions of the Committee* - 30

Abolition or Relaxation of Tests - 1
Chapel Services, 2 - 12
Church of England - 15
Colleges - 17
Congregation (Oxford) - 18
Denominational and Undenominational Colleges - 21
Dissenters or Nonconformists - 21
Heads of Colleges - 32
Litigation - 40

PAGE

Fellowships—continued.

Oriel College - 43
Religious Teaching - 49
Roman Catholics - 54
Senior Wranglers - 57
Statutes of Colleges - 57
Trinity College (Cambridge) - 60
Tutors - 61
University Reform Act of 1854 - 63

Final Classical School (Oxford) - 30

Heads of Colleges:

1. *Concurrence of Evidence to the Effect that Headships of Colleges should be excepted from the Bill* - 32
2. *Dissent from the foregoing View* - 32
3. *Suggestions as to the Mode of Appointment of Heads of Colleges* - 32
4. *Number of Heads of Colleges now in Holy Orders* - 32
5. *Conclusion of the Committee in Favour of a Continuance of Tests for Heads of Colleges* - 32

Heresy - 33

Infidelity and Scepticism - 34
Anti-Religious Teaching - 6
Final Classical School (Oxford) - 30
Heresy - 33

Moral Philosophy - 41

National Institutions - 41
Endowments - 25

Parents - 43
Public Opinion - 47

Post-Reformation Colleges - 46
Denominational and Undenominational Colleges - 21
Downing College - 24
Durham University - 24

Private Tutors - 47

Professors - 47
Abolition of Tests - 1
Act of Uniformity - 5
Anti-Religious Teaching - 6
Divinity Professors - 24
Fellowships - 26
Heads of Colleges - 31
Heresy - 33
Hulsean Professor - 33
Modern History - 41
Moral Philosophy - 41
Norrisian Professor - 42
Religious Teaching - 49

Public Opinion - 47

Religious Teaching:

1. *Extent and Character of the Religious Teaching now given in the Universities and Colleges* - 49
2. *Divergence of Religious Opinion under the System of Tests* - 50
3. *Less Divergence of Religious Opinion at Cambridge than at Oxford* - 50
4. *Requirement of other Religious Safeguards than are provided in the Bill* - 50

PAGE

Religious Teaching—continued.

5. *Evil Effects apprehended on the Score of Religious Teaching if Tests be abolished* - 51
6. *Dissent from the foregoing Conclusion* - 52
7. *Objections generally to compulsory Religious Regulations* - 52
8. *Safeguard recommended by the Committee* 53

Abolition or Relaxation of Tests - 1
Chapel Services - 11
Church of England - 15
Colleges - 17
Denominational and Undenominational Colleges - 21
Dissenters or Nonconformists - 21
Divinity Professors - 24
Education Act - 24
Fellowships - 26
Heads of Colleges - 31
Heresy - 33
Parents - 43
Preamble of the Bill - 46
Private Tutors - 47
Professors - 47
Public Opinion - 47
Roman Catholics - 54
Secular Education - 57
Small Colleges - 57
Statutes of Colleges - 57
Theology - 59
Tutors - 61
Undergraduates - 62
Visitors of Colleges - 63

Roman Catholics - 54

Small Colleges - 55

PAGE

Statutes of Colleges - 57
Colleges - 17
Commission - 18

Trinity College (Cambridge) - 60

Tutors:

1. *Present Regulations as to the Appointment and Control of College Tutors* - 61
2. *Nature of the Influence of Tutors in regard to the Religious Opinions of the Undergraduates* - 61
3. *Clause suggested by Professor Rolleston relative to the Election of Tutors* - 61
4. *Suggestions generally relative to the Appointment of Tutors, and the Question of a Test* - 61

Abolition or Removal of Tests - 1
Church of England - 15
Fellowships - 26
Heresy - 33
Litigation - 40
Private Tutors - 47
Religious Teaching - 49

Undergraduates - 62
Abolition or Relaxation of Tests - 1
Anti-Religious Teaching - 6
Conscience Clause - 18
Parents - 43
Private Tutors - 47
Religious Teaching - 49
Tutors - 61

Visitors of Colleges - 63
Statutes of Colleges - 57

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Session of 1870 or 1871, and to the numbers of the Questions; those following *App.* (1870), and *App.* (1871), to the Pages in the Appendices; and the Numerals following *Second Rep.* (1871), to the Final Report of the Committee.]

A.

ABOLITION OR RELAXATION OF TESTS:

1. *Advocacy of Abolition absolutely.*
2. *Advocacy of Relaxation rather than Abolition.*
3. *Declaration, or Negative Test, recommended by Sir Roundell Palmer.*
4. *Question of Partial Abolition as regards Fellowships.*
5. *Feeling of Residents and Non-residents of Oxford and Cambridge respectively.*
6. *Resolutions of the Committee.*

1. *Advocacy of Abolition absolutely:*

Witness approves of the abolition of tests, but objects to the Government Bill as being founded, or as liable to be interpreted, in an anti-denominational spirit, *Rolleston* (1870) 1191-1194. 1275-1278. 1324-1326——Decided approval of an abolition of tests, the evil of the present Bill being that the permissive principle is not extended to the election of fellows, *ib.* 1260-1263.

Witness advocates the entire abolition of university tests, *Appleton* (1871) 483 *et seq.* ——Very little value or importance attached to the test by those who subscribe to it, *ib.* 532-541. 544-547——Disapproval of the tests as temptations to insincerity, *ib.* 566, 567. 569.

Opinion adverse to any test upon fellows or tutors; absence of any test for the latter at Cambridge, *Thompson* (1871) 976-980——Conclusion as to the inexpediency generally of tests, though in the case of Divinity professorships a test may be desirable, *ib.* 1081-1090——Satisfaction expressed with the Bill in its present shape, *ib.* 1122, 1123.

Approval of the Bill so far as it repeals the tests as the condition of any lay degree or lay professorship at Oxford, *Neate* (1871) 1140——Reasons for also agreeing with the Bill so far as it repeals the provisions of the Act of Uniformity requiring subscription, *ib.* 1140.

Tendency of tests to produce dishonesty, whilst all men who are unconscientious are not affected by them *Hartog* (1871) 1241. 1263-1268——Opinion that an abolition of tests would be a benefit to Cambridge University as enabling it to have a better choice of men to fill the high offices, *ib.* 1241.

Conviction that the system of tests is both a failure and a mischief, *Angus* (1871) 1400——Argument that tests favour bigotry on the one hand and unbelief on the other, *ib.* 1400. 1404, 1405.

Witness is strongly in favour of the removal of university tests, *Roundell* (1871) 1414-1416——Decided feeling among the supporters of the Bill that there can be no concession of the principle of abolition, *ib.* 1497-1499——Further statement that witness would prefer to forego the Bill for the present rather than sanction any abandonment of its principle, or consent to the adoption of a modified test; similar feeling of the supporters of the Bill generally, *ib.* 1566-1570.

Objection to any security in the shape of a test for the religious character of the governing body or of the instruction in the colleges at Oxford and Cambridge, although witness greatly desires to see religious influence maintained as much as possible, *Reed* (1871) 2572-2588. 2605 *et seq.*

Reports, 1870, 1871—*continued.*

ABOLITION OR RELAXATION OF TESTS—continued.

1. *Advocacy of Abolition absolutely*—continued.

Conclusion as to the expediency of doing away with tests, more especially in view of the agitation on the subject, *Bateson* (1871) 2801, 2802.

Approval of an entire abolition of tests, the present Bill not going far enough, *Jowett* (1871) 3014-3016 —Belief that religion would be in a more favourable position if not "protected" by tests, and that a negative test would produce very bad effects, *ib.* 3021-3025—Objection to a test by scientific men not hostile to Christianity, *ib.* 3023. 3222, 3223.

Ambiguity and difficulty in connection with any test however comprehensive, any attempted line of distinction between Christian and non-Christian being very undesirable, *Jowett* (1871) 3023. 3222, 3223——Reiteration of the conclusion that there should be neither a test nor a declaration, either for the protection of religion, or of the Church of England, *ib.* 3207-3221.

Expediency of any test being of the most general kind, and of as little restriction as possible in regard to the religious teaching; witness in fact inclines much to a total abolition of tests, *Raleigh* (1871) 3235-3237——Conclusion adverse to the present system of tests at the universities; inability, however, of witness to suggest any efficient substitute for the maintenance of religious education, *Houghton* (1871) 3343 *et seq.*——Belief that the Bill will eventually tend to promote the interests of religion, *ib.* 3390.

2. *Advocacy of Relaxation rather than Abolition:*

Examination in approval of a relaxation of the present tests, as by the substitution of a declaration of Christianity, *Chase* (1870) 317-322. 347 *et seq.*——Greater efficacy anticipated by limiting the test as proposed by witness, *ib.* 361-368. 409-411——Inexpediency of abolishing tests, though not always successful in effecting the object for which instituted, *ib.* 392-395.

In consequence of the change of opinion within and without the University of Cambridge on the question of tests, witness has modified his views on the subject, and now considers that some change is expedient in the direction of the Bill, *Lightfoot* (1870) 838-840. 889-899. 922-925. 1071-1090——Admission as to the danger attending the changes proposed by the Bill, there being, however, danger in attempting to maintain the present state of things, *ib.* 889-899. 922-930. 969——Wise concession by giving to Nonconformists and others free of access to honours and emoluments, *ib.* 899-894.

Further approval, on the ground of expediency, of the principle of abolition, with the exception of headships of colleges, *Lightfoot* (1870) 1037-1044——Conclusion further that the evils now produced by the exclusive effect of tests are greater than those which may result from the Bill, *ib.* 1071-1090. 1133-1143. 1167, 1168——Minimum of university tests now required at Cambridge, so that any alteration must be in the shape of abolition, rather than relaxation, *ib.* 1127-1132——Irritation by keeping the question of tests open; approval therefore of much concession for a settlement of the question, *ib.* 1167, 1168.

Statement in approval of a scheme, which has been accepted by a considerable number of the Cambridge residents, whereby religious tests should not be relaxed in the case of a head of a college, a tutor, a dean, a chaplain, or a lecturer on theology, but should be dispensed with otherwise, *Stokes* (1871) 343-352. 360. 391-395. 427-437——Feeling of witness that some change is inevitable, though he disapproves of the alteration proposed by the Bill, *ib.* 343. 448-450——Probable permanence of the proposed regulation for continuing the tests in the case of tutors and others, *ib.* 385-395.

Opinion that for political reasons some modification of the existing tests at Oxford is desirable, *Liddon* (1871) 645-647. 779-781——Admission as to there being some abuse in the taking of tests by individuals; this should not cause a total abolition of tests, *ib.* 737, 738. 812——Different feelings by which different classes at the universities are actuated in desiring an abolition or modification of tests, *ib.* 789-792——Less objection likely to be made to the tests proposed by witness than to the present tests, *ib.* 800-802. 805-807——Contemplated modification of tests, so that all reasonable objections may be met, whilst security is retained for the religious character of the teaching, *ib.* 818, 819.

Approval of a relaxation of the present tests at Oxford, as by the adoption of the test at Cambridge, in lieu of subscription to the Thirty-nine Articles, *Ince* (1871) 1730-1736. 1796-1802. 1809-1811. 1814, 1815——Approval of the university degrees, other than those in divinity, being opened as proposed in the Bill, *ib.* 1796-1801. 1812, 1813.

Explanation in connection with several amendments proposed by witness to be made in the Bill, concurrently with a relaxation of tests, *Campion* (1870) 1847 *et seq.*

Witness is opposed to the whole principle of the Bill, but submits sundry amendments which, if adopted, will deprive it of much of its pernicious character, *Waraker* (1871) 2091 *et seq.*——Further statement that the object of the modifications proposed by witness is to render the Bill less objectionable by bringing the enacting clauses into conformity to the preamble; question hereon as to the probability of the House of Commons

Reports, 1870, 1871—*continued.*

ABOLITION OR RELAXATION OF TESTS—continued.

2. *Advocacy of Relaxation rather than Abolition*—continued.

Commons agreeing to such modifications, *Waraker* 2134–2138. 2176–2181——Approval of the test being a declaration of membership of the Church of England, *ib.* 2187–2189.

Admission that in the present state of opinion on the subject of tests, it is not desirable to maintain them absolutely in all cases, *Athinson* (1871) 2972–2975.

3. *Declaration, or Negative Test, recommended by Sir Roundell Palmer:*

Objection to the declaration or negative test proposed by Sir Roundell Palmer, *Lightfoot* (1870) 987–989——Reference to the declaration or clause proposed by Sir Roundell Palmer, as free from two of the chief objections currently urged against tests; words of this clause, *Rolleston* (1870) 1208, 1209. 1238——Operation of a similar declaration in the Scotch universities, *ib.* 1208——Several objections to which this declaration is open, though free from some of the objections to the present tests, *ib.* 1208. 1210, 1211. 1214——Illustration of the practical difficulty in working the Scotch clause at Oxford, *ib.* 1214. 1304.

Doubt as to any advantage of the proposed clause, to the effect that no person in his public capacity, shall say or do anything impugning the Christian faith or the authority of the Scriptures, *Scott* (1871) 65–68.

Suggestion that lay teachers and lecturers in colleges be required to make the declaration proposed by Sir Roundell Palmer, *Liddon* 662–664——Advantage of a safeguard in the shape of a declaration by lecturers, that they will not teach anything contrary to the Church of England, *ib.* 765–768.

Opinion in the case of membership of convocation, and of the M. A. degree, the tests may be abandoned, and a declaration substituted to the effect that the declarant will not use his influence to the detriment of the Church of England, *Mansel* (1871) 833–835. 867. 901–905——Approval of a Parliamentary declaration, as proposed by Sir Roundell Palmer, in the case of professors generally, other than Divinity professors, *ib.* 842–844. 869–901.

Exception taken to the view that professors of philosophy or history at the universities should be required to declare that they would abstain from anti-Christian teaching, *Angus* (1871) 1364–1371. 1393–1397.

Proposal as regards professors, that the test be in the form of a declaration, that they would teach nothing contrary to the Christian faith, *Ince* (1871) 1755. 1797. 1799. 1817–1827——Evidence in approval of the declaration proposed by Sir Roundell Palmer for professors generally, *Waraker* (1871) 2115. 2140–2163——Efficiency of a declaration excluding men of honour from offices, unless they can conscientiously concur in the terms of the declaration; illustration on this point, *ib.* 2112–2114. 2190–2194.

Approval of the test proposed by Sir Roundell Palmer as better than no test at all, *Leighton* (1871) 2329–2346——Objection to the declaration proposed by Sir Roundell Palmer in the case of all professors, *Athinson* (1871) 2990, 2991.

Stringency of the test proposed by Sir Roundell Palmer, *Jowett* (1871) 3218.

4. *Question of Partial Abolition as regards Fellowships:*

Suggestions as already made by witness more than a year ago, that a proportion of the endowments of the university might be applied to the creation of a fund for university fellowships, for which merely an examination, without any test, should be required, *Chase* (1870) 91–94. 317–319——Explanation that it is part of witness's proposal that university fellows, not taking tests, should be eligible for college fellowships, if they would subscribe to the test, *ib.* 127. 137——Probable discontent of fellows, who through not taking tests, would be ineligible for college tutorships, *ib.* 128–130.

Dissent from the view that the proposed university fellowships would have an anti-theological character, in contrast with the college fellowships, *Chase* (1870) 135–139. 204–208——Belief that under witness's scheme tests would be taken with more sincerity and responsibility, *ib.* 198–200——Contemplated appropriation of about one-half the college endowments for the creation of university fellowships, 201–203——Doubt as to any widespread dissatisfaction existing through the proposed university fellows not being eligible for tutorships, *ib.* 309–312. 340, 341.

Exception taken to the proposal for exempting some fellowships from tests, witness regarding all fellowships as offices of trust and responsibility, *Perowne* (1870) 483–486——Injurious effect likely to arise from the plan of university fellowships proposed by Mr. Chase, *ib.* 536——Approval if it be practicable, of the plan for establishing certain prizes without tests, provided no duties be attached to prizes, *ib.* 548, 549——Doubt whether even in the large colleges, such as King's, it would be well to throw open a portion of the fellowships, such fellows not to engage in the work of teaching at the university, *ib.* 603–607.

Reports, 1870, 1871—*continued.*

ABOLITION OR RELAXATION OF TESTS—continued.

4. *Question of Partial Abolition as regards Fellowships*—continued.

Concurrence in the view, that in Trinity and other colleges, the reasonable demands of Nonconformists would be met by admitting them to fellowships, short of those involving trusts, *Lightfoot* (1870) 1055–1062.

Contemplated relaxation of tests in the case of fellowships to which emoluments without duties are attached, *Stokes* (1871) 343. 346. 427–430——Proposed division of fellowships into two classes, tests being dispensed with in the case of sinicure or non-resident fellows, *Mansel* (1871) 856–864. 871——Suggested relaxation by opening two-fifths of the fellowships to persons not members of the Church of England, *Cookson* (1871) 268–273. 277–282.

Evidence in favour of a distinction between sinecure or non-resident fellowships and teaching fellowships, the test being less important in the former case, *Ince* (1871) 1605. 1677. 1737–1740. 1803–1813——Proposal that no test be required from a person taking a fellowship as a prize, and that a test be imposed only on appointment to tutorships, *Campion* (1871) 1853–1861. 1885. 1890. 1928–1932——Reason for abandoning, in the case of prize fellowships, any test requiring the profession of religious belief, *ib.* 1885, 1886. 1890–1892. 1895.

Suggested distinction between resident and non-resident fellows, with a view to exempting the latter from tests, *Leighton* (1871) 2274. 2324. 2336–2338. 2351——Proposed limitation of the number of fellowships to be thrown open in any college to one-third of the whole number, *Athinson* (1871) 2942–2948. 2972. 2988, 2989.

5. *Feeling of Residents and Non-residents of Oxford and Cambridge respectively.*

Reference to a certain petition in 1863, against the removal of tests, signed by a large number of non-residents of Oxford, including, amongst others, the present Archbishop of York and the present Bishop of Oxford, *Chase* (1870) 239–249.

Belief that at Oxford it is still a minority which is in favour of the abolition of tests, *Liddon* (1871) 797–799—— Grounds for the conclusion that a majority of the residents and non-residents of Oxford University are not favourable to the Bill; petitions hereon submitted, *Mansel* (1871) 880–885. 938.

Analysis of the residents petition from Oxford in favour of the present Bill, showing a large majority of the resident fellows and tutors in support of the abolition of tests, *Roundell* (1871) 1476, 1477——Majority of college tutors and lecturers at Oxford in favour of the Bill, *ib.* 1477——There are only six colleges in which a majority have not signed the petition, *ib.*——Three heads of houses signed the petition, *ib.* 1500.

About equal division of the residents of Oxford upon the question of tests, *Woollcombe* (1871) 2059——Less dissatisfaction at Oxford with the Bill, if the safeguards advocated by witness be adopted, *Leighton* (1871) 2352–2356.

Decided majority of the residents at Cambridge opposed to the Bill, *Perowne* (1870) 557. 670–672——Influential minority at Cambridge in favour of a relaxation of tests, *ib.* 557, 558——Feeling at Cambridge as to the probable passing of some such Bill as the present, it being considered by many that the Bill could not be worse, *ib.* 778–780.

Impression that the majority of the University of Cambridge are against the Bill, but there has been much change of opinion on the subject, *Lightfoot* (1870) 1011–1015. 1123——Increasing feeling at Cambridge, especially at Trinity, in favour of the abolition of tests, *Campion* (1871) 1942–1944——Explanation in connection with the increase of feeling at Cambridge in favour of removing the tests, *Waraker* (1871) 2197.

Decided increase of the feeling at Cambridge in favour of abolishing tests; particulars hereon, *Bateson* (1871) 2850–2857.

Declaration, dated Oxford, February 1870, by resident graduates, earnestly deprecating any legislative enactments, having the effect of separating education from religion, or of impairing the connection of the colleges with the Church of England, *App.* (1871) 349, 350.

Petition presented to the House of Commons in May 1870, from non-resident members of the University of Oxford, against the Bill introduced in 1870, such members having been resident and held office, *App.* (1871) 351–353.

Petition of the Chancellor, Masters, and Scholars of the University of Oxford, against the Bill; also, of the non-resident members of Convocation, *App.* (1871) 353–359.

6. *Resolutions of the Committee:*

Resolution that no test be required to enable any person to take any degree other than Divinity degrees, or to hold any university office other than Divinity professorships, *Second Rep.* (1871) iii.——Also, that no test be required for fellowships, *ib.*

Resolution

Reports, 1870, 1871—*continued.*

ABOLITION OR RELAXATION OF TESTS—continued.

6. *Resolutions of the Committee*—continued.

Resolution also that tutors, assistant tutors, deans, censors, and lecturers in divinity, be required to declare that they will not teach any opinion opposed to the teaching and Divine authority of the Holy Scriptures of the Old and New Testament, *Second Rep.* (1871) iii.

See also the Headings generally throughout the Index.

Act of Uniformity. Reference to section 8 of the Act of Uniformity as requiring all professors and readers in the universities to make a declaration of conformity to the Liturgy of the Church of England, *Waraker* (1871) 2171-2175.

Agitation. Limited extent to which the question of the abolition of tests has led to any injurious discussions at Oxford, *Chase* (1870) 140-142——Approval of much concession in order to get rid of the irritation by keeping the question open, *Lightfoot* (1870) 838-840. 889-899. 1071-1090. 1167, 1168.

Apprehended agitation on the part both of resident and non-resident fellows of Cambridge in the event of optional tests, *Thompson* (1871) 993-1000. 1111-1116——Growing spirit of liberal intolerance in the University of Cambridge, the continuance of tests tending to foster such spirit, *ib.* 1005-1007—— Detrimental agitation expected at Cambridge upon the question of alteration of the college statutes, as a consequence of the passing of the Bill, *Waraker* (1871) 2117, 2118 —— Effect of the agitation for the removal of tests in increasing the sentiment in favour of abolition, *ib.* 2197——Reference to the public feeling on the question as rendering abolition expedient, *Bateson* (1871) 2801, 2802.

See also *Public Opinion.*

Aldis, W. S. Opinion of Mr. Aldis, who was senior wrangler in 1861, in favour of the abolition of tests, whilst he attaches great importance to religious teaching, *Hartog* (1871) 1244, 1245. 1247.

Allon, the Rev. Henry. (Analysis of his Evidence—Session 1871.)—Is a Congregationalist; was educated at Cheshunt College, 2375-2378——Origination of the college in 1768 by the Countess of Huntingdon, who sustained it until her death, but left no endowment for it, 2379-2381. 2400, 2401——Constitution of the college adverted to as having been approved by the Countess, the college not being legally or formally connected with any religious body, 2382, 2383 —— Circumstance of some of the students having become clergymen of the Church of England, 2383. 2505-2507.

Particulars relative to the origin and the Calvanistic character of the fifteen articles embodied in the college trust, and required to be signed by the student and tutors, 2383-2391 (*App.* 346-348)——Difficulties felt in subscribing to the articles; conclusion that it is very desirable to dispense with the articles as a test of admission to the college, and to substitute a general examination, including doctrinal belief, 2386, 2387. 2390, 2391. 2406, 2407. 2433-2450. 2459-2465. 2483-2485.

Theological character of the college; different subjects taught, 2392-2396. 2404, 2405 ——Maintenance of the college partly by subscriptions, there being also endowments amounting to about 700 *l.* or 800 *l.* a year, 2397. 2400, 2401——Practice as to the admission of students; searching examination on entrance, with reference to spiritual fitness for the ministry, 2398, 2399. 2402, 2403.

Statement as to their being about ten or twelve Nonconformist colleges, the students being carefully examined on admission, and tests not being required, 2407. 2409-2415 ——Circumstance of Cheshunt not having been regarded till lately as a strictly Nonconformist college, 2407, 2408——Explanation relative to the teaching body of the Nonconformist colleges, and the means taken to get rid of tutors who have relapsed from orthodoxy, 2416-2424. 2473, 2474.

Serious difficulty apprehended in carrying out religious education in any institution under the government of persons of different creeds; that is, if religious education is the primary object, 2425-2431—— Opinion that the Nonconformists could not dispense with their distinctive theological institutions, even though tests be removed at Oxford and Cambridge, 2432.

Statement as to the Congregationalists having no such formula as prevents their subscribing to the articles of Cheshunt College, whilst the Baptists and Wesleyan Methodists are excluded by the articles, 2451, 2452. 2475-2481——Information relative to the constitution of the governing body of Cheshunt; power of removal of trustees in certain cases, 2453-2459. 2482—— Catholic character of the college, which does not belong to any denomination, though the Congregationalists are its chief supporters, 2461. 2475-2481. 2507, 2508——Greater reason for Downing College being thrown open to Unitarians than for Cheshunt being so opened, 2464-2471.

Desire of witness that the Bill before the Committee should pass, though he has not taken any active part in its support, 2472. 2509, 2510——Approval of a preliminary

Reports, 1870, 1871—*continued.*

Allon, The Rev. Henry. (Analysis of his Evidence—Session 1871)—*continued.*

education of Nonconformist students at Oxford and Cambridge, in the event of the passing of the Bill, 2486–2495——Examination to the effect that Church of England colleges founded by private endowments since the Reformation cannot justly be dealt with as national property, irrespectively of the Church, 2496–2503. 2511–2516.

Angus, The Rev. Joseph, D.D. (Analysis of his Evidence—Session 1871.)—Is head of Regent's Park College, 1296 ——Correction of a statement by Mr. Perowne that the lay students in the college are subjected to tests prior to admission, 1297–1300——Explanation as to the ministerial students in the college being required to state in writing their views of religious truth, no actual test being signed by them, 1300–1303——Denominational character of the college and of the religious instruction, so far as ministerial students are concerned, but not as regards the lay students, 1303–1305. 1321, 1322. 1328, 1329.

Selection of the religious teachers of the college with reference to their religious opinions, 1306–1308——Conclusion that it would be very unwise and mischievous to submit the students of the college to a test, 1309, 1310——Opinion that it would be no hardship if at Oxford and Cambridge classes in Butler and the New Testament were provided for the students, 1311–1313——Recognition of the principle of a conscience clause, 1313, 1314.

Statement as to witness having experienced no difficulty in teaching a common Christianity to students of different religious bodies; difficulty in the case of Unitarians, 1315–1319——Opinion that there would be no hardship in requiring men appointed as religious teachers to teach Christianity, 1320. 1362, 1363——Conclusion as to the absence of any hardship in applying to the doctrinal teaching of students bequests specially made for the purpose, 1323–1327.

Latitude allowed at Regent's Park College as to the places of worship attended by the students, 1329–1331——Great value attached to the religious teaching of students in colleges generally, as compared with an exclusive system of secular teaching, 1332–1338——Primary importance of earnest Christian teachers, this being a desideratum which cannot be secured by tests, 1336, 1337. 1371. 1400–1405——Feeling among the people in favour of religious education, 1338——Advantage anticipated to Dissenting students by the removal of university tests, notwithstanding the influence of the study of philosophy to which they might be subject at the universities, 1340–1350.

Practical grievance to Dissenters in being excluded from fellowships, more especially during the interval before they can practise in their professions, 1343. 1351. 1372–1375——Admission that there appears to be no injustice in retaining the clerical fellowships founded for the use of the Protestant Church since the Act of Uniformity, 1351——Statement as to there being no test for the governing body of witness's college, 1352–1355——Requirement, in the case of some Baptist societies, that the electors of the governing body shall have made a religious profession, 1356–1358.

Approval in the case of denominational bequests of the governing body being elected by persons desirous of carrying out the denominational object, 1359, 1360——Exception taken to the view that professors of philosophy or history at the universities should be required to declare that they would abstain from anti-Christian teaching, 1364–1371. 1393–1397——Opinion that there is no good reason for distinguishing between colleges founded before the Reformation and colleges since that date, so far as common or national education is concerned, 1376–1385.

Expediency of all the colleges being open to students of all denominations, instead of there being any denominational colleges, 1384–1392. 1400——Reference to Unitarians as including themselves in the body of professing Christians, 1398, 1399——Conviction that the system of tests is both a failure and a mischief, 1400——Argument that tests favour bigotry on the one hand and unbelief on the other, 1400. 1404, 1405.

Further statement that the main thing wanted is a succession of Christian and earnest teachers, and that these cannot be secured by any form of test, 1400–1404.

Very successful operation of the system of lay students at Regent's Park College, 1406——Care taken at the college to supplement the philosophical studies with other teaching calculated to guard against the influence of the positive philosophy required in the London University examinations, 1406–1408——Explanation in regard to the non-recognition of the religious element at the University of London, 1409–1411.

Anti-Religious Teaching. Opportunity of the professors in other subjects than theology for strengthening or weakening the student's belief in Christianity; witness is not aware of any abuse at Cambridge in this respect, *Perowne* (1870) 444–450——Ill effect anticipated from the removal of the restraint upon anti-scriptural teaching by professors of geology, &c., *ib.* 650, 651——Minority of residents at Cambridge in favour of a power of removal for anti-Christian teaching, *Lightfoot* (1870) 946, 947——Reliance to be placed upon the honour of individual professors or tutors in regard to anti-religious teaching, *Rolleston* (1870) 1210–1216. 1237–1240. 1250–1254. 1336.

Possibility

Reports, 1870, 1871—*continued.*

Anti-Religious Teaching—continued.

Possibility, under the Bill, of anti-religious teaching in a college, without the undergraduates being able to escape from it, *Stokes* (1871) 361-369——Value of tests as a check upon persons holding opinions adverse to the Christian religion, *ib.* 402-404. 409, 410. 424-426——Way in which irreligious teaching in any college would be more feasible under the Bill than at present, *ib.* 438-447.

Conclusion that it is improbable in the extreme that, under the Bill, the majority of the governing body of any college at Oxford would sanction anti-religious teaching, or teaching opposed to that of the Church of England, *Appleton* (1871) 532; *Roundell* (1871) 1441, 1442. 1470-1475——Objection to any attempted security by Act of Parliament against anti-Christian teaching by the Divinity professors or teachers, *Roundell* (1871) 1462-1464.

Expectation that college tutors and professors holding sceptical opinions would be more ready to propound them if no longer under the restraint of a test, *Ince* (1871) 1685, 1686. 1702-1706——Increased value of tests by reason of the greater tendency to the teaching of sceptical opinions in recent years, *ib.* 1702-1705——Reference to the question at issue as one between Christian and non-Christian teaching, witness being satisfied so long as the former is maintained, *Woollcombe* (1871) 2087-2089.

Conclusion that university professors not bound by tests would not go out of their way to attack either religion or the Church of England, *Jowett* (1871) 3099, 3100.

See also *Conscience Clause. Dissenters or Nonconformists,* 3. *Final Classical School (Oxford). Heresy. Infidelity and Scepticism.*

Apostles Creed. Suggestion that the Apostles Creed might be the test in force in Oxford University, *Chase* (1870) 355.

Appleton, Charles. (Analysis of his Evidence—Session 1871).—Is a Fellow of St. John's College, Oxford, 482——Advocates the entire abolition of university tests, 483 *et seq.*——Considers that an unconditional abolition of tests would make very little difference at Oxford as regards the systematic undermining of belief, 488-490——The tests really touch only a very small proportion of the young men who go to Oxford, namely, those who study philosophy and history for the final classical school, 490. 570-573. 615.

Effect of the education for the final classical school in causing a loosening and reconstruction of belief, the tests interfering with the process of reconstruction, 490-492..524——Information relative to the extent and character of the study of philosophy by young men who read for honours in the final classical school; particulars as to the works of German and other writers used, 490 *et seq.*

Care taken by tutors not to teach anything contrary to the Christian religion, nor to inculcate their views in the shape of religious doubts and difficulties, 525-529. 542-544——Belief that an entire abolition of tests would have no effect in causing increased instruction in a sense hostile to Christianity, 532——Wording of the test adverted to as tending to show that disbelievers might subscribe to it, 532. 554-557——Very little value or importance attached to the test by those who subscribe to it, 532-541. 544-547.

Conduct of the examinations in moral philosophy, without importing any religious opinions, 548-552——Tendency of a study of mathematics to lessen the desire for study of metaphysics or philosophy, 562——Disapproval of the tests as temptations to insincerity, 566, 567. 569——Objection to retaining the tests in the case of heads of colleges or professors; probability in the former case of the tests having an undue influence in the appointment of tutors, 574-583——Grounds for disapproving of a proposal for making some colleges denominational and some denominational, with a view to a limited application of tests, 584-602.

Innaccuracy of the view of parents that the tests are a means of securing certain religious influences for their sons at the universities, 597. 600——Exceptional instances of the tests having prevented persons from going in for their degrees, 604-607——Circumstance of the teaching of private tutors not being fettered by any tests, 608-612——Statement in support of the conclusion that there is no necessity for a conscience clause for the protection of students at Oxford who, on religious grounds, many object to attend any lectures, 619-626.

Suggestion whether there might not be at Oxford, as at Bonn, separate faculties of Christianity or theology; non-objection in such case to a test for each professor, 628-631——Sufficiency of the present check in the Vice Chancellor upon the setting of unfair questions by examiners; difficulty in working a conscience clause on the subject, 632-636——Limited value attached to the college chapels, and the services therein, as regards religious influence, 637-644.

[Second Examination.] Small number of men at Oxford really affected by the application or the abolition of tests, 1572——Further statement as to the tests intervening at a most inopportune moment in preventing the natural reconstruction of belief, *ib.*——Several safeguards already existing for the continuance of religious education and reli-

Reports, 1870, 1871—*continued.*

Appleton, Charles. (Analysis of his Evidence—Session 1871)—*continued.*

gious education and religious influences, 1572——Further safeguard in course of time, by a large accession of Roman Catholics and Protestant Dissenters; way in which the presence of these would be a safeguard both religiously and theologically, 1572 *et seq.*

Several advantages by a large accession of Dissenters, 1573-1576——Less tendency among Dissenters to Unitarianism than among members of the Church of England, 1575——Doubt as to Roman Catholics going largely to Oxford, tests being abolished; improbability of their being allowed to go by their authorities, 1577, 1578. 1590, 1591——Approval of the introduction of Unitarians into Oxford, witness considering them to be a very religious and intelligent body of Christians, 1579.

Dissent from the view that agitation and controversy would be the result of the infusion of Roman Catholics and Dissenters into the university, 1580, 1581——Advantage anticipated on the score of definiteness in the Christian doctrine, by the presence of opposing Christian bodies, 1581-1589——Preference of Dissenters for Cambridge as compared with Oxford, 1592, 1593——Obstacles to any increase of the time for study in reference to the final school at Oxford; agitation at Oxford for breaking up the school, 1594-1596——Discouragement by Roman Catholics in Germany of the mixture of Roman Catholics and Protestants at the same universities, 1597-1600.

Aristotle. Decided approval of the study of Aristotle, *Liddon* (1871) 816.

Atkinson, The Rev. Edward, D.D. (Analysis of his Evidence—Session 1871.)—*Master of* Clare College; was Vice Chancellor of the University of Cambridge in 1870; 2913, 2914——Is not aware of any power in the Vice Chancellor to restrain heterodox teaching on the part of the ordinary professors, though he has such power as regards the divinity professors and the professors of Greek and Hebrew, 2915-2920——Believes that there is no power of punishment of the members of the university generally, the visitors however having large and undefined powers, 2921-2923.

Opinion that the Bill before the Committee will be most disastrous in its effect, more especially as regards the colleges, 2924-2927——Expectation that under the Bill, fellows will be gradually introduced who will be perfectly indifferent to religion, if not absolutely hostile to it, 2927——Apprehension that religious influence being no longer secured, it would be very difficult to enforce doctrines of morality, 2927, 2928. 2976, 2977.

Very injurious effect upon the religious views of the undergraduates by the introduction of fellows differing widely in religious opinions, or without any religious creed, 2929-2934——Mischief apprehended, not from Nonconformists, but from sceptics and infidels, 2929, 2930——Probability of parents not allowing their sons to go into residence at Cambridge, if all religious security were withdrawn, 2935-2937. 2983-2985.

Special importance attached to the maintenance of the Church of England service in the chapels, 2938. 2965. 2978-2982. 3003——Expediency of the tests being retained as regards the heads of colleges, it being very desirable that these should be members of the Church of England, 2939-2941. 2978——Suggested limitation of the members of fellowships to be thrown open in any college to one-third of the whole number, 2942-2948. 2972. 2988, 2989——Advantage under the Bill, if there were in every college at least one college tutor who is a churchman, 2942. 2978. 2987.

Importance of a certain proportion of clerical fellowships, 2947, 2948. 2986, 2987——Question whether under the Bill the universities would any longer be Christian as incorporations, 2950, 2951——Nature of the questions discussed at the Union Club of Cambridge University, and of the check exercised by the Vice Chancellor; probable mischief on this score if the Bill be passed, 2952-2954. 3000-3002.

Explanation as to the governing body of Clare College, and the powers of the visitor; belief that his consent would not be asked as to alteration of the college statutes, 2955-2964——Relaxation permitted as to the attendence of Nonconformists or others at Clare Chapel, 2966-2971——Admission that in the present state of opinion on the subject of tests, it is not desirable to maintain them absolutely in all cases, 2972-2975.

Objection to the declaration proposed by Sir Roundell Palmer in the case of all professors, 2990, 2991——Suggested removal of the obligation to attend the lectures of any professor, if not subject to tests, 2991——Contemplated continuance of the present test for Divinity professors, 2992——Approval of a Distinction with reference to the dates of the college endowments, it being preferable that some colleges should be denominational rather than they should all be thrown open, 2993-2997.

Expected agitation relative to clerical fellowships after the passing of the Bill, 2998, 2999——Hardship if the chapel of Clare College were applied to any other services than those of the Church of England, 3003——Grounds for objecting to the attendance at chapel being voluntary, 3004-3009.

Attendance at Lectures. See *Conscience Clause.*

Balliol

Reports, 1870, 1871—*continued.*

B.

Balliol College. Practice in Balliol College in regard to a catechetic lecture and certain other lectures, independently of control by the college meeting, *Scott* (1871) 37-39——Permanent non-residence of one of the fellows of Balliol, another being temporarily non-resident, *ib.* 63, 64——Less difference to be caused in Balliol College than in other colleges at Oxford by the removal of tests, *ib.* 159, 160.

Satisfactory operation of tests at Balliol; instance of this in the admission of a Presbyterian as a fellow and tutor of the college, *Woollcombe* (1871) 1979-1981. 2071-2074——Less diversity of religious opinion at Balliol than if there were no tests, *ib.* 1982-1988——Great falling off in the daily attendance at Balliol Chapel services since it has not been compulsory; objection to an abolition of the week day chapel, *ib.* 2010-2022. 2054-2058. 2068——Important modification of the fellowships of Balliol, it having been at one time entirely a clerical college, *ib.* 2085.

Substitution of voluntary for compulsory attendance at Balliol Chapel, the attendance being very small on week days; approval of the change of practice, *Jowett* (1871) 3137-3148.

Baptist College, Regent's Park. Conclusion as to a certain test being required in the case of each student at the Baptist College, Regent's Park, *Perowne* (1870) 551, 552——This college is not exclusively theological, there being three classes of students, including lay students, *ib.* 551.

Correction of a statement by Mr. Perowne that the lay students in the college are subjected to tests prior to admission, *Angus* (1871) 1297-1300——Explanation as to the ministerial students in the college being required to state in writing their views of religious truth, no actual test being signed by them, *ib.* 1300-1303——Denominational character of the college and of the religious instruction, so far as ministerial students are concerned, but not as regards the lay students, *ib.* 1303-1305. 1321, 1322. 1328, 1329——Selection of the religious teachers of the college with reference to their religious opinions, *ib.* 1306-1308.

Conclusion that it would be very unwise and mischievous to submit the students of the college to a test, *Angus* (1871) 1309, 1310——Latitude allowed at the college as to the places of worship attended by students, *ib.* 1329-1331——Statement as to there being no test for the governing body of the college, *ib.* 1352-1355.

Very successful operation of the system of lay students at the college, *Angus* (1871) 1406——Care taken at the college to supplement the philosophical studies with other teaching calculated to guard against the influence of the positive philosophy required in the London University examinations, *ib.* 1406-1408.

Baptists. Requirement in the case of some Baptist societies that the electors of the governing body shall have made a religious profession, *Angus* (1871). 1356-1358——Strong objection to the foundation of a Baptist College at either university, *ib.* 1387.

See also *Dissenters or Nonconformists.*

Bateson, The Rev. William Henry, D.D. (Analysis of his Evidence—Session 1871.)—Long experience of witness, as a resident at Cambridge; since 1857 he has been master of St. John's College, 2790-2793——Total of fifty-six fellows of the college, all the fellowships being now held under the same conditions, 2794, 2795——Three different declarations made by the fellows; difficulty caused by one of these affirming the inspiration of the Scriptures, 2796-2798. 2899-2902——Operation of the tests at Cambridge in preventing persons from holding fellowships; instances of this, 2798-2800. 2837, 2838.

Conclusion as to the expediency of doing away with tests, more especially in view of the agitation on the subject, 2801, 2802——Probability of some of the smaller colleges becoming denominational, if tests be abolished; witness would see no evil in this, 2803. 2806. 2903——Opinion that the repeal of tests would tend to allay controversies, and would not diminish religious influences, 2804-2807. 2904——Tendency of the governing bodies of the colleges to reflect the general opinions prevalent in the country, 2808. 2904.

Practice as to the attendance of Nonconformists at the chapel service in St. John's, no difficulty having ever been raised; contemplated relaxation as to attendance, 2809-2812. 2833-2836. 2839-2849——Value attached to the declaration by electors that they will elect to the college as a place of "religion," learning, and education, 2813-2816. 2862, 2863——Importance of a specific declaration by Parliament that the Church of England service shall be maintained in the college chapels; this is the chief safeguard desired by witness, 2816-2821. 2833-2836. 2858, 2859——Nature of the powers of the visitor of St. John's College, and extent of his interference; he has no control over alteration of the statutes, 2822-2832——Feeling excited in the university by the exclusion of Mr. Hartog, Mr. Aldis, and others from fellowships, 2837, 2838. 2897, 2898——Decided increase of the feeling at Cambridge in favour of abolishing tests; particulars hereon, 2850-2857——Approval of the present system as regards clerical fellowships, the agitation will probably

Reports, 1870, 1871—*continued.*

Bateson, The Rev. William Henry, D.D. (Analysis of his Evidence—Sess. 1871)—*continued.*

take place on this question, 2860, 2861. 2869-2873——Opinion that a test is not required as regards teachers of Divinity, 2862, 2863——Proportion of clerical fellows in the governing body of St. John's; relaxation of the requirement as to Holy Orders, 2864-2868.

Conclusions adverse to the proposition that a distinct treatment should be observed towards post-Reformation endowments, and that they should be exempted from Parliamentary interference, 2874-2896——Circumstance of the tests being the creation of Parliament and not of endowments, 2884, 2885——Impression that the religious belief of young men is strengthened rather than weakened by religious controversy in the governing body, 2905-2907——Absence of any disturbance of religious opinion at Cambridge by reason of the increase of metaphysical study; countervailing effect of mathematical study, 2908-2912.

Bible, The. Great improbability of the Bible ceasing to be a book in which examinations will take place at Cambridge, *Lightfoot* (1870) 983-986.

Board of Theological Studies (Cambridge). Absence of security under the Bill in regard to the appointment of the Board of Theological Studies, *Perowne* (1870) 631, 632——Inability of witness to make any suggestion as to the election of the Board of Theological Studies; injurious effect of the Bill hereon further adverted to, *ib.* 709. 784-788.

Absolute power of the Senate as to the constitution of the Board of Theological Studies, *Cookson* (1871) 317, 318.

Books. Practice at Oxford as to the selection of the books to be used in different examinations, *Chase* (1870) 403-408——Evidence relative to the books used in the final classical school at Oxford, and the effect of the studies as regards religious belief, *Appleton* (1871) 490 *et seq.*; *Ince* (1871) 1695-1701. 1786-1795; *Woollcombe* (1871) 1989-1995. 2075-2085; *Jowett* (1871) 3041-3046. 3192-3201.

Explanation on the subject of religious study at Cambridge, and the books used; there is nothing analogous to the Oxford Divinity school, *Thompson* (1871) 1029-1035——Statement as to the choice of books at Cambridge resting with the examiner, and as to the particular books used by students in the moral science examinations, *ib.* 1036-1045.

See also *Final Classical School (Oxford).*

Butler's Works. Discouragement of Bishop Butler's works at Oxford in recent years, *Chase* (1870) 187-190. 376-380.

C.

Cambridge (University and Colleges). *See* the Headings generally throughout the Index.

Campion, The Rev. William Magan, D.D. (Analysis of his Evidence—Session 1871.)—Is a Member of Queen's College, Cambridge, 1828——Effect of the Bill seriously to affect the religious teaching and observance in the colleges, 1829-1832——Dissent from the statement that there is practically no religious teaching in the colleges; practice in the case of Queen's College adverted to hereon, 1833-1844——Total of fourteen fellowships attached to Queen's College, there being but four resident fellows, and only two of these engaged in college tuition, 1834-1836. 1871-1873——Conditions as to the tenure of fellowships, 1846.

Explanation in connection with several amendments proposed by witness to be made in the Bill, concurrently with a relaxation of tests, 1847 *et seq.*——Suggestion as regards professorships, that Divinity professorships be expressly exempted in the interpretation clause, 1847-1852——Proposal that no test be required from a person taking a fellowship as a prize, and that a test be imposed only on the appointment to tutorships, 1853-1861. 1885-1890. 1928-1932.

Objection to the colleges having powers to make changes in regard to clerical fellowships, &c. without the authority of a Parliamentary Commission, 1862-1867——Apprehended discord in small colleges upon the question of religious teaching if the Bill be passed in its present shape, 1868. 1963, 1964——Difficulty as to the exercise of the power of the visitor for preventing anti-Christian teaching, 1869, 1870.

Consideration of the system of clerical fellowships; disadvantage of a positive requirement that a certain proportion of the fellows must be in Holy Orders, 1874-1884——Opinion that all fellowships regarded as mere prizes of success should be limited in tenure, 1876——Reason for abandoning, in the case of prize fellowships, any test requiring profession of religious belief, 1885, 1886. 1890-1892. 1895——Practice of witness's college to select for fellowships from the university examinations, 1887-1890——Expediency of retaining a test for the heads of colleges, 1896.

Difficulty of a general enactment distinguishing between pre-Reformation and post-Reformation endowments with reference to tests; each college should decide for itself,

1897-

Reports, 1870, 1871—*continued.*

Campion, The Rev. William Magan, D.D. (Analysis of his Evidence—Sess. 1871)—*cont*^{d}. 1897-1910——Opinion that it would be better if the Bill were passed in a permissive form, and if a Parliamentary Commission were appointed to reform the statutes of each college, in connection with the governing bodies, 1909, 1910——Respects in which the college tutors exercise much more influence than the private tutors, especially in small colleges, 1911-1916.

Importance attached to regular attendance at chapel, as distinct from compulsory attendance; beneficial influence produced, 1917-1927. 1933-1941. 1959-1962——Practice at Queen's College as to enforcing attendance, if young men habitually stay away, 1921-1927. 1933-1941.

Increasing feeling at Cambridge, especially at Trinity, in favour of the abolition of tests, 1942-1944——Opinion adverse to any test in the case of professors, except Divinity professors, 1945-1949. 1953-1958——Inexpediency of religious controversy being brought before students on first coming to the university, 1950-1952.

Approval of the Bill as regards the universities, whilst some safeguards is required for maintaining the domestic character of the colleges, 1965-1967——Further reference to the terms of the Bill as admitting of correction on certain minor points, 1968-1975.

Censors. Systom of tutors or censors in the case of the students at Oxford not affiliated to any college, *Chase* (1870) 132-134.

CHAPEL SERVICES:

1. *Concurrence of Evidence as to the Importance of maintaining the Church of England Service in the College Chapels, and as to the Expediency of a positive Enactment on the Subject.*
2. *Suggested Appointment of a Chaplain Fellow by each College.*
3. *Question of Shortening the Services.*
4. *Practice as to Attendance at Chapel; Question of Voluntary or Compulsory Attendance.*
5. *Doubt as to any Grievance under the Bill; limited Value attached to the Chapel Services.*
6. *Conclusion of the Committee.*

1. *Concurrence of Evidence as to the Importance of maintaining the Church of England Service in the College Chapels, and as to the Expediency of a positive Enactment on the Subject:*

Great improvement if the clause in the Act of Uniformity were retained, which provides for the maintenance of the chapel services, *Chase* (1870) 162-164; *Perowne* (1870) 764. 774-776——Strong objection to the proposed removal of the present security for the maintenance of the Church of England service in the college chapels, *Perowne* (1870) 617-619.

Great improvement of security for the maintenance of the Church of England service in the existing college chapels, *Lightfoot* (1870) 849-852. 860, 861. 1070——Expectation that in every college there will be no lack of Church of England members for upholding the chapel services, *ib.* 936, 937——Additional safeguard by reserving the chapels for the Church of England service, *ib.* 1170-1172.

Power of the college meeting to overrule the master with respect to the chapel and the college service, *Scott* (1871) 22-25——Power of the visitor to interfere as regards the chapel, the visitor being, however, appointed by the college meeting, *ib.* 23-30——Expediency of providing that the chapels shall be secured for the Church of England service exclusively, *ib.* 163, 164.

Recommended omission from the Bill of the clause repealing section 13 of the Act of Uniformity with reference to the form of chapel worship, *Cookson* (1871) 204-208. 300-302——Possibility of a complete change being made in the college services, unless some safeguard be provided; suggestions on this subject, *Stokes* (1871) 375-380.

Conclusions as to the religious value of the service in the college chapels, it being very objectionable to repeal the provision that the service be that of the Church of England, *Liddon* (1871) 727-732——Strong objection to the proposal in the Bill for repealing the 13th section of the Act of Uniformity; importance, on the other hand, of some direct proviso as to the service of the Church of England being celebrated in the college chapels, *Mansell* (1871) 889-894.

Statement as to the maintenance of the Church of England services in the college chapels being sufficiently provided for by the Act of Uniformity and by the college ordinances, *Roundell* (1871) 1442-1453. 1558-1565——Non-objection to a special provision for the maintenance of the chapel services, *ib.* 1454——Further explanation on the question of the maintenance of the chapel service, this being one of the safeguards approved by witness, *ib.* 1550-1553. 1557-1565.

Valuable influence of the chapel services, *Ince* (1871) 1631, 1632——Conditions subject to which the college authorities might discontinue the service in the chapel, *ib.*

Reports, 1870, 1871—*continued.*

CHAPEL SERVICES—continued.

1. *Concurrence of Evidence as to the Church of England Service, &c.*—continued.

1633-1640—— Opinion that the continuance of the Church of England service in the college chapels should be imperative, and should not be left to the discretion of the existing body of fellows for the time being, *Ince* (1871) 1710-1713. 1750-1754. 1796. 1816.

Great importance attached to the maintenance of the Church of England service exclusively in the college chapels; there should be an express provision in the Bill to this effect, *Woollcombe* (1871) 2007-2009. 2034-2037. 2061-2066. 2068——Proposal for retaining the section of the Act of Uniformity which provides for the sole and exclusive maintenance of the worship of the Church of England in the college chapels, *Waraker* (1871) 2095-2099——Advantage of a positive enactment in the Bill to the foregoing effect, *Waraker*. 2100-2103; *Atkinson* (1871) 2665.

Safeguard by an express enactment maintaining the Church of England services in the college chapels, *Leighton* (1871) 2275-2277. 2355, 2356——Belief that the chapel service exercises a greater and more wholesome influence than is generally supposed, *ib.* 2275.

Importance of a specific declaration by Parliament that the Church of England service shall be maintained in the college chapels; this is the chief safeguard desired by witness, *Bateson* (1871) 2816-2821, 2831-2836. 2858, 2859——Special importance attached to the maintenance of the Church of England service in the chapels, *Atkinson* (1871) 2938. 2965. 2978-2982. 3003.

Non-objection to a positive enactment for the maintenance of the chapel services so long as the Church of England remains established; this should apply only to Sundays, *Jowett* (1871) 3032-3038. 3047. 3217——Approval of provision for chapel service on week days if power be given for shortening the service, *ib.* 3133-3136.

2. *Suggested Appointment of a Chaplain Fellow by each College:*

Proposal that every college be required to appoint a chaplain fellow, so that religious teaching may be secured if tests be abolished, *Neate* (1871) 1155. 1223.

3. *Question of Shortening the Services:*

Expediency of a shortened form of service, *Chase* (1870) 162-164——Suggestions as to the authority for shortening the services, care being required that innovation should not be allowed, *ib.* 164-176——Belief as to its being open to the governing body of a college to alter or abbreviate the chapel service, *Perowne* (1870) 710-716——Expediency of the governing body of each college being entrusted with the duty of shortening the chapel services, *Lightfoot* (1871) 1069. 1077-1081——Advantage in being able to shorten or alter the service on week days, *Jowett* (1871) 3033. 3134.

4. *Practice as to Attendance at Chapel; Question of Voluntary or Compulsory Attendance:*

Absence of difficulty at Cambridge as regards the attendance of students at chapel, *Perowne* (1870) 666—— Advantage, on the whole, of attendance at chapel being compulsory, *Lightfoot* (1870) 980. 1008-1110——Varying practice in the Oxford colleges as to attendance at chapel; preference for the system of voluntary attendance, *Rolleston* (1870) 1243-1249.

Opinion that the attendance at the chapel service should be voluntary, *Scott* (1871) 165. 187——Much greater laxity of chapel discipline at Oxford than in former years; different practice of different colleges as to attendance at chapel, *Liddon* (1871) 689-694. 786, 787——The Sunday attendance is insisted on much more strongly than the week-day attendance, *ib.* 693, 694——Practice at Balliol College and New College of requiring chapel attendance or the alternative of a roll-call, *ib.* 689, 690——Willingness evinced by Protestant Dissenters at Cambridge to attend chapel, *Hartog* (1871) 1243. 1246.

Importance attached to regular attendance at chapel, as distinct from compulsory attendance; beneficial influence produced, *Campion* (1871) 1917-1927. 1933-1941. 1959-1962——Objection to the clause empowering young men to abstain from attending the public worship of any sect to which they do not belong; less objection if a certain modification be introduced into the clause, *Waraker* (1871) 2127, 2128. 2201-2203——Expediency of its being left to the colleges to permit exception from attendance at worship, as at present, *ib.* 2127.

Disapproval of compulsory attendance at the chapel service in the colleges, although it is exceedingly desirable that a daily service should be continued, *Reed* (1871) 2589-2599. 2625, 2626. 2632-2635. 2786-2789——Attendance generally of Nonconformists at the chapel services at Cambridge, though objecting to many parts of it; suggested alteration of the service, *ib.* 2589, 2590. 2632-2635. 2663-2668. 2778——Grounds for objecting to the attendance at chapel being voluntary, *Atkinson* (1871) 3004-3009.

Statement showing the attendance at New College Chapel and at roll-call, during October term, 1870, (*App.* 1871) 360.

5. *Doubt*

Reports, 1870, 1871—*continued.*

CHAPEL SERVICES—continued.

5. *Doubt as to any Grievance under the Bill; limited Value attached to the Chapel Services:*

Improbability of any grievance arising as regards the chapel services through all denominations having free access to the governing body, *Rolleston* (1870) 1265-1270—— Limited value attached to the college chapels, and the services therein, as regards religious influence, *Appleton* (1871) 637-644.

6. *Conclusion of the Committee:*

Resolution of the Committee that the maintenance of existing chapel services shall be obligatory, discretion to abridge them being left with the head of the college, *Second Rep.* (1871) iii.

See also *Balliol College. Clare College.*

Chase, The Rev. D. P. (Analysis of his Evidence—Session 1870.)—Is Principal of Saint Mary Hall, Oxford; is a fellow of Oriel College, and has had some years' experience as tutor of Oriel, 1-3——Considers that the University Tests Bill would have very little effect upon the University of Oxford, as distinct from the colleges, and that the possibility of a majority in convocation hostile to the Church is a very distant event, 4-12.

Explanation on the subject of the university examination in Divinity, with reference to the possible effect of the abolition of tests, 13-18——Character of the examination in moral philosophy for honours, and of the books used, 19-28——Lectures of Mr. Ruskin adverted to as having included references to dogmatic questions in large numbers, 29-33. 384-386.

Little, if any, evil effect apprehended from the admission of Christian Dissenters as fellows of colleges, 34, 35——Great difficulty and evil apprehended if the governing body of any college were to consist partly of persons professedly opposed to all dogmatic or religious teaching; prospect of an increased admission of such persons if there were no test, 34-45——Nature of the powers of the university or of convocation for dealing with heresy, 46-51.

Power of the heads of colleges as to the appointment of the college tutors, certain conditions being prescribed by the university statutes, 52-63——Considerable facilities of the tutors for acting upon the religious opinions of the undergraduates, 64-69—— Means of the university and of the heads of colleges for exercising a restriction upon the tutors' lectures, 70-73——Disharmony and dissension likely to arise in any college if the fellows were divided into two parties on the question of Christianity, 74-78—— Practice in the election of fellows at Oriel not to take the religious belief into consideration, but to elect with direct reference to intellectual qualifications, 79-90.

Suggestion, as already made by witness more than a year ago, that a portion of the endowments of the university might be applied to the creation of a fund for university fellowships, for which merely an examination, without any test, should be required, 91-94. 317-319——Proposal that the fellows elected without a test should have no part in the college government, 93-96.

Statement of the practice at Oriel and at other colleges as to the attendance of non-resident fellows on special occasions, these fellows taking no part in the work of the university, 96-111——Conclusion as to the expediency of reform, irrespectively of the Bill, upon the question of non-resident fellows; objection to these fellowships being held for life, 101-118——Diminution in the number of clerical fellowships at Oriel, 119.

Considerable divergence of opinion within the limits of Christianity under the system of tests, 120-126——Explanation that it is part of witness's proposal that university fellows, not taking tests, should be eligible to college fellowships, if they would subscribe to the test, 127. 137——Probable discontent of fellows who, through not taking tests, would be ineligible for college tutorships, 128-130——Expected multiplication of educating bodies in the university if membership of convocation be open without tests, 131 ——System of tutors in the case of the students at Oxford not affiliated to any college, 132-134.

Dissent from the view that the proposed university fellowships would have an anti-theological character, in contrast with the college fellowships, 135-139. 204-208—— Limited extent to which the question of the abolition of tests has led to any injurious discussions at Oxford, 140-142——Conclusion that indifference is the chief thing to be feared in the absence of tests; less restraint also upon the expression of anti-Christian opinions, 143-149——Absence of the domestic system of colleges at foreign universities where they have no tests, 151, 152.

Impression that the four principal Divinity Professorships at Oxford would not be affected by the Bill, 151, 152——Non-objection to the Professor of Exegesis and the Grinfield Lecturer being elected by any persons calling themselves Christians, except Socinians and Unitarians, 153-161——Expediency of retaining the chapel services, morning and evening, but in a shortened form, 162-164——Suggestions as to the authority for shortening the services, care being required that innovation should not be allowed, 164-176.

Reports, 1870, 1871—*continued.*

Chase, the Rev. D. P. (Analysis of his Evidence—Session 1870)—continued.

Expediency of a certain proportion of the fellows of each college being in Holy Orders; one-third would probably suffice, 177, 178——Increased influence of heads of colleges through being in Holy Orders, 179–183——Difficulty of drawing a distinct line between the theological and the secular education in the universities, 184–186——Circumstance of Butler having fallen very much into disuse in the examinations, 187–190——Conflict of opinion by the fellows of a college comprising Dissenters and persons who are not Christians, 191–194.

Doubt as to the advantage of the present non-resident fellows being made to reside, 195–197——Belief that under witness's scheme the test would be taken with more sincerity and responsibility, 198–200——Contemplated appropriation of about one-half the college endowments for the creation of university fellowships, 201–203——Distinctive training of the university and of the colleges, the Bill not recognising the difference between the two, 210–214. 292.

Average age at which young men come to Oxford; special importance of the teaching at this age not being opposed to religion, 215–221——Considerable influence of the religious instruction given through lectures and in the colleges, 222–225——Further reference to the system of non-resident fellows, as much requiring amendment, 226–230——Conclusion that the Bill provides no effective safeguard for the maintenance of religious teaching in the university, 231.

Objection especially to that part of the Bill which affects the colleges, as distinct from the university, 232–236. 292——Comparatively little religious influence exercised by the university upon the undergraduates, 237, 238. 294–298——Reference to a certain petition in 1863 against the removal of tests, signed by a large number of non-residents, including, amongst others, the present Archbishop of York and the present Bishop of Oxford, 239–249——Further statement on the question of there being no immediate danger of a change of opinion on the part of convocation, 250–254.

Consideration of the effect of the University Reform Act of 1854, as regards non-resident fellowships, these involving little, if any, duty towards the colleges, 255–263. 301——Effect of the Bill in neutralising the obligation to elect fellows with reference to "religion," as well as "education and learning," 264–266——Arrangement at Oriel College for maintaining a certain number of clerical fellowships, 267–269——Effect of the legislation of 1854 in causing the clerical fellowships in some colleges to be held by younger men, 270–273.

Prospect of an increase in the college revenues divisible among the non-resident fellows, 274–279——Tendency of the Bill to make the theological students more sectional and narrow, 280–285——Expectation that Free Thinkers and others, who have little scruple in subscribing to the present tests, would prefer to go in for university fellowships not involving any test, 286–291——Decreasing necessity for, and influence of, private tutors, since the system of combined lectures of tutors of colleges, 294–298.

Statement as to the Bill not affecting in any way the question of non-resident fellows, 299, 300. 314, 315——Sufficiency generally of the safeguard in the Bill relative to the election to the office of Divinity Professor, 302, 303——Reference to the Slade Professorship (held by Mr. Ruskin) as one not affected in any way by the Bill, 304–306——Estimate of between one-third and one-half as the proportion of clerical fellowships, 307, 308——Doubt as to any widespread dissatisfaction existing through the proposed university fellows not being eligible for tutorships, 309–312. 340, 341——Effect of the tests in impeding undogmatical teaching, 316.

Examination in approval of a relaxation of the present test, as by the substitution of a declaration of Christianity, 317–322. 347 *et seq.*——Circumstance of the existence of tests at Oxford not having prevented serious divergence of opinion within the Christian body, as in the case of the Tractarian movement, 323–339. 344–346——Statement that public opinion is not sufficiently informed on the matter at issue, 342, 343. 395.

Object of the opponents of the Bill to keep out the enemies of dogmatic teaching, rather than to exclude Dissenters; question hereon as to the efficacy of tests for this purpose, 352–368——Suggestion that the Apostles' Creed might be adopted as a test, 355——Greater efficacy anticipated by limiting the test as proposed by witness, 361–368. 409–411——Further statement as to the opportunities of tutors for influencing the religious opinions of the students, 369–375——Discouragement of Bishop Butler's works in recent years, 376–380.

Circumstance of no objection having been made to a Presbyterian as Regius Professor of Civil Law, and as examiner in the law schools, 381, 382——Inexpediency of abolishing tests, though not always successful in effecting the object for which instituted, 392–395——Approval of a settlement of the question on the same principle as the popular education question has been settled in reference to religion, 396–398——Absence of analogy between English and foreign universities as regards the religious question, 399–402

Reports, 1870, 1871—*continued.*

Chase, The Rev. D. P. (Analysis of his Evidence—Session 1870)—*continued.*

402——Practice at Oxford as to the selection of the books to be used in different examinations, 403-408.

Question considered as to the efficacy of tests for the exclusion from fellowships and from convocation of persons who have joined the Church of Rome, 412-414——Respect in which the question of non-residence is indirectly affected by the existence of tests, 415-418——Explanation as to the government of many of the larger colleges having been confined to a small body of fellows previously to the legislation of 1854; 419, 420.

Cheshunt College. Origination of Cheshunt College in 1768 by the Countess of Huntingdon, who sustained it until her death, but left no endowment for it, *Allon* (1871) 2379-2381. 2400, 2401——Constitution of the college adverted to as having been approved by the Countess, the college not being legally or formally connected with any religious body, *ib.* 2382, 2383——Particulars relative to the origin and the Calvinistic character of the fifteen articles embodied in the college trust, and required to be signed by the students and tutors, *ib.* 2383-2391——Circumstance of some of the students having become clergymen of the Church of England, *ib.* 2383. 2505-2507——Theological character of the college; different subjects taught, *ib.* 2362-2396. 2404, 2405.

Difficulties felt in subscribing to the articles; conclusion that it is very desirable to dispense with the articles as a test of admission to the college, and to substitute a general examination, including doctrinal belief, *Allon* (1871) 2386, 2387. 2390, 2391. 2406, 2407. 2433-2450. 2459-2465. 2483-2485——Maintenance of the college by subscriptions, there being also endowments amounting to about 700 *l.* or 800 *l.* a year, *ib.* 2397. 2400, 2401——Practice as to the admission of students; searching examination on entrance, with reference to spiritual fitness for the ministry, *ib.* 2398, 2399. 2402, 2403.

Circumstance of Cheshunt College not having been regarded till lately as strictly a Nonconformist college, *Allon* (1871) 2407, 2408——Statement as to the Congregationalists having no such formula as prevents their subscribing to the articles of the college, whilst the Baptists and Wesleyan Methodists are excluded by the articles, *ib.* 2451, 2452. 2475-2481——Information relative to the constitution of the governing body of Cheshunt; power of removal of trustees in certain cases, *ib.* 2453-2459. 2482——Catholic character of the college, which does not belong to any denomination, though the Congregationalists are its chief supporters, *ib.* 2461. 2475-2481. 2507, 2508.

Important distinction between the objects of Cheshunt College and of colleges in the universities; objection, however, to the exclusive articles in force in the former college, *Reed* (1871) 2617-2620. 2627-2631.

Copy of deed of trust of the College of Cheshunt, *App.* (1871) 338-345——Articles of faith referred to by the deed, *ib.* 346-348.

Christ Church (Oxford). Statement as to their being four sets of Divinity lectures at Christ Church, *Liddon* (1871) 680——Several Roman Catholics and Nonconformists at Christ Church at different times, their attendance at Divinity lectures and at chapel being excused, *ib.* 686-688. 788.

Christianity. Question whether under the Bill the universities would any longer be Christian as incorporations, *Atkinson* (1871) 2950, 2951.

See also *Religious Teaching.*

Church of England. Expectation that not merely fellowships at Cambridge but tutorships and the office of dean would pass out of the hands of members of the Church of England if tests were dispensed with, *Perowne* (1870) 658, 659——Apprehension that the influences of the Church of England at Cambridge would be greatly weakened by the Bill, and would be powerless to prevent irreligious teaching, *ib.* 826-831.

Proposition that in all colleges a majority of the fellows, such as three-fifths, should be members of the Church of England, the other two-fifths of the fellowships to be open without tests, *Cookson* (1871) 208-214. 222-226. 268-273. 235, 236. 277-282. 306, 307——Apprehension lest under the Bill the majority of the fellows in some colleges would not be members of the Church of England, *ib.* 247-250.

Tendency of the tests to excite in some minds a feeling of hostility to the Church of England, *Thompson* (1871) 1078-1080——Approval of the Bill as tending to allay religious animosity, and to soften opposition to the Church of England, *Neate* (1871) 1153, 1154. 1169——Non-objection to a test in the case of certain professorships and prizes connected directly with the Church of England, *Hartog* (1871) 1285, 1286.

Witness contends that the restrictions upon fellowships are distinctly injurious to the interests of the Church, *Roundell* (1871) 1419-1421——Feeling of bitterness being created towards the Church, and towards religion by the continuance of tests, *ib.* 1491——Argument that the university is primarily a place of learning and education, and that the Church of England only comes in secondarily, *ib.* 1510. 1513. 1516——Preponder-

Reports, 1870, 1871—*continued.*

Church of England—continued.

ance of the Church of England at the universities, so long as it is the Established Church, irrespectively of tests, *Roundell* (1871) 1557.

Admission as to the tendency of tests to cause irritation in those who do not attach any importance to them, and to induce antagonism to religion and to the Church, *Ince* (1871) 1706–1709. 1746–1749. 1757, 1758——Expediency of providing that those in charge of the teaching and discipline should be members of the Church of England, *Waraker* (1871) 2107–2111——Unfavourable effect of the tests as regards the Church of England, *Jowett* (1871) 3019, 3020——If witness were a Churchman he would be an earnest advocate for the opening of the universities, *Stoughton* (1871) 3387.

Resolution of the Committee that each college should be required to provide religious teaching for members of the Church of England *in statu pupillari* belonging to the college, *Second Rep.* (1871) iii.

See also *Abolition or Relaxation of Tests. Chapel Services. Denominational and Undenominational Colleges. Divinity Professors. Endowments. Fellowships. Heads of Colleges. Religious Teaching. Roman Catholics. Tutors. Vice Chancellor.*

Church of Rome. Opinion that tests at Oxford have had no appreciable influence in checking the movement towards the Church of Rome, *Jowett* (1871) 3162.

See also *Roman Catholics.*

Clare College (*Cambridge*). Explanation as to the governing body of Clare College, and the powers of the visitor; belief that his consent would not be asked as to alteration of the college statutes, *Atkinson* (1871) 2955–2964——Relaxation permitted as to the attendance of Nonconformists or others at Clare College chapel, *ib.* 2966–2971——Hardship if the chapel were applied to any other services than those of the Church of England, *ib.* 3003.

Classical Tripos (*Cambridge*). Possibility of the religious element being introduced in the classical tripos studies, *Perowne* (1870) 519–521.

CLERICAL FELLOWSHIPS:

1. *Present Proportion of Clerical Fellowships.*
2. *Effect of the Bill as regards these Fellowships; expected Agitation on the Subject.*
3. *Question of maintaining a certain Proportion of Clerical Fellowships.*
4. *Objections to the present System of Election of Clerical Fellows.*

1. *Present Proportion of Clerical Fellowships:*

Estimate of between one-third and one-half as the proportion of clerical fellowships at Oxford, *Chase* (1870) 307, 308——Varying proportion of clerical fellowships in the different colleges at Cambridge, these being liable to reduction at any time by an alteration of the college statutes, *Perowne* (1870) 594–600.

Return showing for each college in Oxford and Cambridge the number of fellows required to take orders or to proceed to Divinity degrees, *App.* (1870) 124–133.

List of the number of fellows of each college who must be in or must proceed to Holy Orders, *App.* (1871) 361——Return showing the colleges which have, and those which have not, a clerical majority, *ib.*

2. *Effect of the Bill as regards these Fellowships; expected Agitation on the Subject:*

Importance attached to the clause in the Bill on the subject of the existence of clerical fellowships, *Perowne* (1870) 748–752——Doubt as to the Bill necessarily leading to an abolition of clerical fellowships, *Lightfoot* (1870) 1090–1094——Expected continuance in any case of clerical fellowships on account of the demand for clerical heads of schools, &c., *Rolleston* (1870) 1299, 1300. 1327–1329.

Expected discontinuance of the clerical fellowships as a result of the abolition of tests, *Scott* (1871) 152, 153——Expediency of at once setting the question of tests, and of dealing separately and subsequently with clerical fellowships and other questions, *Roundell* (1871) 1518–1524——Approval of the present system as regards clerical fellowships, though agitation will probably take place on this question, *Bateson* (1871) 2860, 2861. 2869–2873——Expected agitation relative to clerical fellowships after the passing of the Bill, *Atkinson* (1871) 2998, 2999.

3. *Question of maintaining a certain Proportion of Clerical Fellowships:*

Expediency of a certain proportion of the fellows of each college being in Holy Orders; one-third would probably suffice, *Chase* (1870) 177, 178——Opinion as to the evil of any decided limitation in the number of clerical fellowships, *Scott* (1871) 169–171——Consideration of the system of clerical fellowships; disadvantage of a positive requirement that a certain proportion of the fellows must be in Holy Orders, *Campion* (1871) 1874–1884.

Strong

Reports, 1870, 1871—*continued.*

CLERICAL FELLOWSHIPS—continued.

3. *Question of maintaining a certain Proportion of Clerical Fellowships*—continued.

Strong objection to the Bill on the score of clerical fellowships; importance of maintaining a certain proportion of these as the only security for Church of England tutorships, *Woollcombe* (1871) 2002, 2003. 2040-2042——Concurrence in the view as to the importance of a certain proportion of clerical fellowships, *Athinson* (1871) 2947, 2948. 2986, 2987.

4. *Objections to the present System of Election of Clerical Fellows:*

Witness is strongly opposed to the clerical restrictions upon fellowships, as frequently necessitating the choice of men of inferior intellectual qualifications, and, therefore, of an inferior class generally, *Roundell* (1871) 1412-1428——Grounds of objection to clerical fellowships further adverted to *ib.* 1492-1494——Considerable change required as regards clerical fellowships, *ib.* 1522.

Instance of competition for a clerical fellowship when a person of very high attainments was elected, *Woollcombe* (1871) 2004——Smaller competition for clerical fellowships, so that the term "close" fellowships is being applied to them, *ib.* 2005, 2006.

Very grave objections to which the system of clerical fellowships is open, whilst the system does not promote any good religious influence, *Jowett* (1871) 3030, 3031——Necessity, under the system, of electing comparatively inferior men, *ib.* 3030. 3079. 3176. 3186-3191——Further evidence in support of witness's objections to the system of clerical fellowships, as being productive of much evil, *ib.* 3072-3080. 3174-3177. 3186-3191.

See also *Merton College.*

College Endowments. See *Endowments.*

College Livings. Evidence on the subject of the appointment to college livings, as resting with the master and fellows, or with the master and senior fellows; conclusion as to the expediency, on this score, of the head of the college and a majority of the fellows being members of the Church of England, *Lightfoot* (1870) 849. 853-863. 960-969. 1101-1104.

Injury to the cause of Christian teaching by the possession of advowsons by the colleges, *Liddon* (1871) 678, 679——Opinion that under the Bill the best thing for the colleges to do as regards their ecclesiastical patronage, would be to sell it, *ib.* 771.

Return showing for each college in Oxford and Cambridge the number of college livings and the number of vacancies since 1st July 1865, *App.* (1870) 124-133.

College Statutes. See *Statutes of Colleges.*

College Tutors. See *Tutors.*

COLLEGES:

Distinctive training of the University of Oxford and of the colleges, the Bill not recognising the difference between the two, *Chase* (1870) 210-214. 292——Objection especially to that part of the Bill which affects the colleges, as distinct from the university, *ib.* 232-286. 292.

Analogy between the position of the head and fellows of a college in regard to the undergraduates and the position of a clergyman in regard to his parishioners, *Perowne* (1870) 579-582——Approval of any change being compulsory instead of being left to the colleges, *ib.* 673-675. 773. 821-823——Very objectionable agitation if it were left to the colleges to decide for themselves the question of tests, *Perowne* (1870) 821; *Lightfoot* (1870) 1125, 1126.

Expediency of overtly throwing upon the colleges the responsibility of settling the religious character of their establishments; clause proposed with this object, relative to the election of tutors, *Rolleston* (1870) 1129-1205. 1211 *et seq.*——Ground of witness's objection to the Bill that it does not give free scope to the collective opinion or the collective conscience of each collegiate community in managing its tutorial funds, *ib.* 1211, 1212. 1217-1223——Expediency of each college being allowed to settle its own teaching, although thereby there might be much diversity of teaching in the university, *ib.* 1216-1218.

Probability of the college being able to carry its own views against those of the university upon the question of a diminution of religious teaching, *Scott* (1871) 74-76——Approval of its being left to each college to decide whether it should abolish the tests and throw its fellowship open, *ib.* 104-111. 133-135.

Concurrence in the opinion that the safeguards to be provided (if tests be abolished) should be embodied in the Bill itself instead of being left to the several colleges, *Stokes* (1871) 335, 336. 360. 390; *Waraker* (1871) 2117, 2118. 2204; *Leighton* (1871) 2299-2309.

Statement as to the probable differences between resident and non-resident fellows if the abolition of tests by colleges were optional, *Thompson* (1871) 993-1000. 1111-1116——Objection to the abolition of tests being left to the option of the colleges, *Neate*

Reports, 1870, 1871—*continued.*

COLLEGES—continued.

(1871) 1171–1175——Expectation that the ultimate effect of the Bill will be to reduce the colleges to mere educational establishments, *Neate* (1871) 1179.

Decided objection to the former Bill for the permissive abolition of tests, *Roundell* (1871) 1455–1457——Circumstance of the colleges being spoken of in the statutes as places of "religion and learning," *ib.* 1511–1513.

Concurrence in the principle of the Bill as regards the university, but not as regards the colleges, *Ince* (1871) 1729. 1731. 1796–1802. 1812, 1813——Approval of the Bill as regards the universities, whilst some safeguard is required for maintaining the domestic character of the colleges, *Campion* (1871) 1965–1967.

Evil of the gradual disappearance of the college system from the university; increase of this evil if the Bill be passed in its present shape, *Woollcombe* (1871) 2029–2033. 2050–2053——Mischief apprehended from the Bill mainly as regards the colleges, *Leighton* (1871) 2252——Value attached to the declaration by electors that they will elect to the college as a place of "religion," learning and education, *Bateson* (1871) 2813–2816. 2862, 2863——Opinion that the Bill before the Committee will be most disastrous in its effect, more especially as regards the colleges, *Atkinson* (1871) 2924–2927.

Opinion that it had much better be left to the colleges to decide about having Divinity lectures, &c., *Jowett* (1871) 3047. 3178–3181——Improbability of the colleges neglecting so important an influence as religion in education, *ib.* 3047, 3048.

Return from each college at Oxford stating whether the head is compelled to be in Holy Orders, containing sundry particulars relative to the fellows, and showing the number of college livings and the vacancies in a certain period, *App.* (1870) 124–129——Similar return relative to the colleges at Cambridge, *ib.* 130–133.

See also the Headings generally throughout the Index.

Commission. Effect of the Bill to necessitate important changes in the statutes of the University of Oxford, chiefly as regards its ecclesiastical privileges; opinion that on this score a commission should be appointed, *Neate* (1871) 1140, 1141. 1176–1182——Conclusion as to the want of a commission, appointed by the Legislature, with a view to bringing the statutes of the colleges into harmony with the Bill, *ib.* 1143–1145——Important effect of the Bill as to the foundations and endowments of the colleges, the previous appointment of a commission being very desirable upon this score before compulsory legislation takes place, *ib.* 1143–1145. 1176–1182.

Objection to the colleges having power to make changes in regard to clerical fellowships, &c., without the authority of a Parliamentary Commission, *Campion* (1871) 1862–1867——Opinion that it would be better if the Bill were passed in a permissive form, and if a Parliamentary Commission were appointed to reform the statutes of each college, in connexion with the governing bodies, *ib.* 1909, 1910.

Compromise. See *Abolition or Relaxation of Tests.*

Compulsory Regulations. Explanation of witness's reasons for preferring a compulsory Parliamentary measure to a measure relegating action to the different colleges, *Perowne* (1870) 673–675. 773. 821–823——Importance of Parliamentary safeguards rather than of possible safeguards to be adopted by the colleges or universities from time to time, *Stokes* (1871) 335. 336. 360. 390; *Waraker* (1871) 2117, 2118. 2204——Expediency of whatever safeguards are retained being dealt with by Act of Parliament, instead of resting upon college and university statues, *Leighton* (1871) 2299–2309.

Concession. See *Abolition or Relaxation of Tests.*

Congregation (*Oxford*). Grounds for concluding that the powers of congregation at Oxford require to be restrained, *Neate* (1871) 1147–1170. 1186–1188. 1215–1220——Unduly young men of whom congregation partly consists, *ib.* 1188. 1224——Probability of a majority of the members of congregation having petitioned against the Bill, *Roundell* (1871) 1570.

Congregationalists. See *Cheshunt College. Dissenters. New College.*

Conscience Clause. Approval of a conscience clause in the Bill, by which students might be allowed by the college authorities to absent themselves from lectures, *Stokes* (1871) 381–384. 457–461.

Statement in support of the conclusion that there is no necessity for a conscience clause for the protection of students at Oxford who, on religious grounds, may object to attend any lectures, *Appleton* (1871) 619–626——Sufficiency of the present check in the Vice Chancellor upon the setting of unfair questions by examiners; difficulty in working a conscience clause on the subject, *ib.* 632–636——Doubt as to the value of a conscience clause whereby young men or their parents might object to any lecture, so that the former need not attend, *Mansel* (1871) 935–937.

Reports, 1870, 1871—*continued.*

Conscience Clause—continued.

Recognition of the principle of a consciance clause, *Angus* (1871) 1313, 1314—— Suggested renewal of the obligation to attend the lectures of any professor if not subject to tests, *Atkinson* (1871) 2991.

Resolution of the Committee that no person be compelled to attend any lectures to which his father or guardian shall object, or that shall be contrary to the tenets of any religious denomination to which that person shall belong, *Second Rep.* (1871) iii.

Convocation (Oxford). Witness considers that the University Tests Bill (1870) would have very little effect upon the University of Oxford as distinct from the colleges, and that the possibility of a majority in convocation hostile to the Church is a very distant event, *Chase* (1870) 4-12——Expected multiplication of educating bodies in the university if membership of convocation be open without tests, *ib.* 131——Further statement on the question of there being no immediate danger of a change of opinion on the part of convocation, *ib.* 250–254.

Evidence in support of the view that the powers of the residents at Oxford require to be restrained, and that increased powers and control should be given to convocation, *Neate* (1871) 1147-1170. 1186–1188. 1215-1220. 1224 —— Beneficial effect of the control exercised by convocation, *ib.* 1187.

Cookson, The Rev. H. W., D.D. (Analysis of his Evidence—Session 1871).—Is Master of St. Peter's College, Cambridge, 188——Considers that the safeguards provided in the Bill for religious teaching are inadequate and insufficient, 189–191——Importance attached to the preamble of the Bill as indicating that it is the intention of the Legislature to maintain religious instruction and worship, 192–194—— Want of a better safeguard as to the heads of colleges at Cambridge, and a majority of the fellows being in Holy Orders, 195-202——Exception taken to the provision by which fellows might be in Holy Orders of the Church of Rome, 203. 254–259.

Recommended omission from the Bill of the clause repealing section 13 of the Act of Uniformity, with reference to the form of chapel worship in the colleges, 204-208. 300-302—— Suggested provision that nothing in the Act shall apply to the headship of any college, 208 ——Proposition that in all colleges a majority of the fellows, such as three-fifths, should be members of the Church of England, 208-214. 222–226. 235, 236. 306, 307—— Very restricted powers of the visitors of colleges, as to the religious education; varying powers in different colleges, 215–221. 230, 231.

Approval of a clause in the Bill, that in the election of fellows and tutors, special regard be had to the interests of the colleges as places of religion, learning, and education, 227–229——Power of the colleges at Cambridge to alter their statutes by appeal to the Queen in Council, without any reference to the visitor, 232–234——Instances of the inefficiency of the present tests to exclude persons objectionable, on account of their religious opinions, 237-239——Increase of feeling in the university against the taking of tests, 240–243. 288, 289.

Practice in St. Peter's College in electing fellows, with direct reference to their intellectual qualifications, 244-246——Apprehension lest under the Bill the majority of the fellows in some colleges would not be members of the Church of England, 247–250—— Safeguard as to religious teaching, if there were two classes of fellows, and if religious instruction, &c. were entirely under that class of fellows who are members of the Church of England, 251–253.

Difficulty in retaining the voluntary theological examination at Cambridge, if the governing body were not required to be members of the Church of England, 260–262 ——Great evil if a majority of the senate, adverse or indifferent to the Church of England, were to regulate the studies for candidates for Holy Orders, 263-267—— Grounds for objecting to the majority of fellows of any college being Nonconformists; removal of all hardship if two-fifths of the fellowships were opened to those who are not members of the Church of England, 268-273. 277–282.

Further reference to the importance of providing that the heads of colleges shall be members of the Church of England, 274–276. 283–287——Objectionable contests for heads of colleges, if the fellows were persons of various theological opinions, 284–287 ——Improbability of the council containing a large number of persons undesirable as electors of a theological professor, 290-293——Doubt as to the expediency of a distinction between pre-Reformation and post-Reformation endowments, with reference to denominational education or fellowships, 294, 295.

Difficulty as to lectures on the Greek Testament, if the Bill becomes law, 296–298 ——Approval to some extent of a plan making some colleges denominational and some undenominational, 303-305——Circumstances of its being possible under the Bill that the Norrisian and the Hulsean Professors at Cambridge might not be members of the Church of England, nor be in Holy Orders, 308-316. 323.

Absolute power of the senate as to the constitution of the board of theological studies, 317, 318——Possibility, under the Bill, of the moral theological professorship being held

Reports, 1870, 1871—*continued.*

Cookson, The Rev. H. W. (Analysis of his Evidence—Session 1871)—*continued.*

held by a layman, not a member of the Church of England, 319-322——Doubt as to the expediency of a provision in the Bill, that all fellowships should be terminable, 324, 325.

Corpus Christi College (Cambridge). Power of the master and fellowship of witness's college to call a non-resident fellow into residence, *Perowne* (1870) 487, 488——Circumstances of the statutes of the college not providing that the election of the fellows is to have reference to their superiority expressly as regards "religion," *ib.* 554-556 ——The fellowships were formerly all clerical; but since 1861 four of the twelve fellowships were made tenable by laymen for life, *ib.* 594, 595——Residence of ten out of twelve fellows of the college, *ib.* 601, 602——Admission of many Dissenters to the college, *ib.* 667.

Coward's Trust. Particulars relative to Coward's Trust for Nonconformists; important distinction drawn between this trust and a college at Oxford or Cambridge, *Stoughton* (1871) 3323-3338.

D.

Davidson, Dr. Opinion that the removal of Dr. Davidson from his position in a Nonconformist college, was not a wise step, *Jowett* (1871) 3125-3127——Opinion that it was reasonable and right that Dr. Davidson should be requested to retire, *Raleigh* (1871) 3239.

Declaration (Negative Test). Objection to the declaration or negative test proposed by Sir Roundell Palmer, *Lightfoot* (1870) 987-989——Reference to the clause proposed by Sir Roundell Palmer, as free from two of the chief objections currently urged against tests; words of this clause, *Rolleston* (1870) 1208, 1209. 1338——Operation of a similar declaration in the Scotch universities, *ib.* 1208——Several objections to which this declaration is open, though free from some of the objections to the present tests, *ib.* 1208. 1210, 1211. 1214——Illustration of the practical difficulty in working the Scotch clause at Oxford, *ib.* 1214. 1304.

Doubt as to the advantage of the proposed clause, to the effect that no person in his public capacity shall say or do anything to impugn the Christian faith or the authority of the Scriptures, *Scott* (1871) 65-68——Suggestion that lay teachers and lecturers in colleges be required to make a certain declaration, proposed by Sir Roundell Palmer, *Liddon* (1871) 662-664——Advantage of a safeguard in the shape of a declaration by lecturers, that they will not teach anything contrary to the Church of England, *ib.* 765-768.

Opinion that in the case of membership of convocation and of the M.A. degree, the tests may be abandoned, and a declaration substituted, to the effect that the declarant will not use his influence to the detriment of the Church of England, *Mansel* (1871) 833-835. 867. 901-905——Approval of the declaration, as proposed by Sir Roundell Palmer, in the case of professors generally, other than Divinity professors, *ib.* 842-844. 869. 901.

Exception taken to the view that professors of philosophy or history at the universities should be required to declare that they would abstain from anti-Christian teaching, *Angus* (1871) 1364-1371. 1393-1397——Proposal as regards professors, that the test be in the form of a declaration that they would teach nothing contrary to the Christian faith, *Ince* (1871) 1755. 1797. 1799. 1817-1827.

Evidence in approval of the declaration proposed by Sir Roundell Palmer for professors generally, *Waraker* (1871) 2115. 2140-2163——Efficiency of a declaration excluding men of honour from offices unless they can conscientiously concur in the terms of the declaration; illustration on this point, *ib.* 2112-2114. 2190-2194.

Approval of the test proposed by Sir Roundell Palmer as better than no test at all, *Leighton* (1871) 2329-2346——Objection to the declaration proposed by Sir Roundell Palmer in the case of all professors, *Athinson* (1871) 2990, 2991——Stringency of the test proposed by Sir Roundell Palmer, *Jowett* (1871) 3218.

Resolution of the Committee that tutors, assistant tutors, deans, censors, and lecturers in Divinity be required to declare that they will not teach any opinion opposed to the teaching and Divine authority of the Holy Scriptures of the Old and New Testament, *Second Rep.* (1871) iii.

Degrees. Absence of test for the Bachelor of Arts' degree at Cambridge, *Perowne* (1870) 541——Exceptional instances of the tests having prevented persons from going in for their degrees at Oxford, *Appleton* (1871) 604-607.

Resolution of the Committee that no test be required to enable any person to take any degree other than Divinity degrees, *Second Rep.* (1871) iii.

Reports, 1870, 1871—*continued.*

DENOMINATIONAL AND UNDENOMINATIONAL COLLEGES:

1. *Approval of some Colleges being Denominational and some Undenominational.*
2. *Objections to a System of Denominational and Undenominational Colleges.*
3. *Probability of some Colleges becoming Denominational in the absence of Tests.*

1. *Approval of some Colleges being Denominational and some Undenominational:*

Opinion favourable to a denominational system, as giving fair play to every denomination, *Chase* (1870) 356——Evidence to the effect that the colleges should be free to make themselves denominational, without being, necessarily, of the Church of England, *Rolleston* (1870) 1268–1272. 1275–1289. 1324–1326. 1332–1335.

Approval to some extent of a plan making some colleges denominational and some undenominational, *Cookson* (1871) 303–305——Opinion that if tests cannot be retained for all the colleges, the post-Reformation colleges should be placed in a separate category, so that the denominational and undenominational systems may both be maintained, *Liddon* (1871) 772–776; *Atkinson* (1871) 2993–2997.

2. *Objections to a System of Denominational and Undenominational Colleges:*

Disapproval of some colleges leaving tests, and others not leaving them, *Perowne* (1870) 537——Objection to certain colleges being made undenominational and some denominational, though this plan would reflect, to some extent, the difference of religious opinion in the country, *Stoke* (1871) 407–415.

Grounds for disapproving of a proposal for making some colleges denominational and some undenominational, with a view to a limited application of tests, *Appleton* (1871) 584–602——Great inconvenience in making some colleges denominational and some undenominational, *Thompson* (1871) 1117, 1118——Expediency of all the colleges being open to students of all denominations, instead of there being any denominational colleges, *Angus* (1871) 1384–1392. 1400.

Decided objection to retaining the tests in some colleges and abolishing them in others; effect of such distinction to flood the former colleges with inferior men, *Roundell* (1871) 1505–1509——Objection to a system whereby there should be denominational and undenominational colleges in the universities, *Reed* (1871) 2754–2774.

Conclusion as to its being both inexpedient and impracticable to make some colleges denominational and some undenominational, *Jowett* (1871) 3228–3233——Approval of all the colleges being undenominational rather than of some being denominational and some being thrown open, *Raleigh* (1871) 3279–3285.

3. *Probability of some Colleges becoming Denominational in the absence of Tests:*

Tendency of colleges to denominationalise themselves in the absence of tests, *Leighton* (1871) 2285——Probability of some of the smaller colleges becoming denominational if tests be abolished; witness would see no evil in this, *Bateson* (1871) 2803–2806. 2903.

See also *Dissenters, &c.*, 3. *Endowments.*

Deprivation (Fellowships, &c.) Minority of residents at Cambridge in favour of a power of removal for anti-Christian teaching, *Lightfoot* (1870) 946, 947——The power of deprivation has been exercised by the head of a college at Oxford, with the approval of the visitor, in the case of a fellow who had joined the Church of Rome, *Leighton* (1871) 2237–2240.

See also *Anti-Religious Teaching. Davidson, Dr. Heresy.*

Discipline. Difficulty if the court by which discipline is enforced were composed of men of different religious creeds, *Perowne* (1870) 649——Important function of the university in maintaining discipline among the residents, *ib.* 655–657——Necessity of a declaration for all offices which take part in the discipline of the colleges, *Waraker* (1871) 2104, 2105.

DISSENTERS OR NONCONFORMISTS:

1. *Extent of Hardship in the Exclusion of Dissenters, by reason of the Tests.*
2. *Benefits anticipated from a numerous Accession of Dissenters to the Universities.*
3. *Conflicting Evidence as to the Effect of an Admixture of Nonconformists and Churchmen in the Governing Bodies of Colleges.*
4. *Objections not so much against an Accession of Christian Dissenters, as of Infidels and Sceptics, by an Abolition of Tests.*
5. *Increasing Number of Dissenters at the Universities.*
6. *Representations generally in favour of the Free Admission of Dissenters.*
7. *Particulars in connection with Nonconformist Colleges.*

Reports, 1870, 1871—*continued.*

DISSENTERS OR NONCONFORMISTS—continued.

1. *Extent of Hardship in the Exclusion of Dissenters by reason of the Tests:*

Very limited extent to which Dissenters now excluded at Cambridge; would be admitted to fellowships if there were no tests; very little ground for complaint on this score, *Perowne* (1870) 538–540. 660. 740–742. 805–809——Evil of the test for fellowships in causing the rejection of men of high intellectual qualifications, *Lightfoot* (1870) 923, 924.

Several instances cited in which persons have been excluded from fellowships at Cambridge through objecting to the tests, *Hartog* (1871) 1226–1231. 1281–1284——Practical grievance to Dissenters in being excluded from fellowships, more especially during the interval before they practise in their professions, *Angus* (1871) 1343. 1372–1375.

Objection to the system of tests, as unjust to Dissenters, as well as on other grounds, *Roundell* (1871) 1429—— Hardship in the exclusion of witness from a fellowship, *Reed* (1871) 2441——Feeling excited in the university by the exclusion of Mr Aldis and others from fellowships, *Bateson* (1871) 2837, 2838. 2897, 2898.

Tendency of university tests to divide social life throughout the country, whilst they are a great hardship to Nonconformists, *Raleigh* (1871) 3234–3236——Circumstance of the tests not preventing the admission of Dissenters to the universities, *ib.* 3319, 3320.

List of some of the persons who have taken honours at Cambridge, who have been excluded from fellowships by the tests, *App.* (1871) 337.

2. *Benefits anticipated from a numerous Accession of Dissenters to the Universities:*

Opinion that an influx of Dissenters into the universities would be the best safeguard for the maintenance of religious influences, *Roundell* (1871) 1490. 1531, 1532——Great improbability of the education in the University of Oxford being narrowed by the influence of Dissenters or others, *ib.* 1528–1530——Advantage to the university by the accession of a number of young men of limited means rather than by the accession of the sons of the plutocracy, *ib.* 1531–1534.

Several advantages by a large accession of Dissenters to the universities, *Appleton* (1871) 1572–1576——Great advantage anticipated from a large accession of Dissenters, *Jowett* (1871) 3229——Beneficial influence, in a religious sense, of an increased accession of Dissenters to the universities, *Stoughton* (1871) 3382. 3391, 3392 —— Exceeding anxiety of Nonconformists for a religious element in education, *ib.* 3405.

3. *Conflicting Evidence as to the Effect of an Admixture of Nonconformists and Churchmen in the Governing Bodies of Colleges:*

Liability of colleges (tests being abolished) to fall into the hands of a majority of Dissenters or of Roman Catholics, results being produced for which the country is altogether unprepared, *Perowne* (1870) 692–701. 810–815——Difficulty, amounting almost to impossibility, in having any effectual religious teaching if the governing body be composed of persons of different creeds, *ib.* 789–799. 804——Grounds for objecting to the majority of fellows of any college being Nonconformists, *Cookson* (1871) 268–273.

Statement as to witness having experienced no difficulty in teaching a common Christianity to students of different religious bodies; difficulty in the case of Unitarians, *Angus* (1871) 1315–1319.

Dissent from the view that if the tests be abolished, and if the governing body of any college be composed of persons of different religious denominations, the present college lectureships will no longer be maintained, Roundell (1871) 1465–1475——Advantage anticipated on the score of definiteness in the Christian doctrine, by the presence of opposing Christian bodies, *ib.* 1581–1589.

Expectation that under the Bill religious education would be allowed to fall into the background, through the diversity of religious opinion among the college fellows, *Ince* (1871) 1669–1676——Bad effect of the admission of a large body of Dissenters, on account of the divergent religious views that would prevail, *Leighton* (1871) 2280–2284 —— Serious difficulty apprehended in carrying out religious education in any institution under the government of persons of different creeds; that is, if religious education is the primary object, *Allon* (1871) 2425–2431.

Belief that the presence of fellows of different denominations in any college would not lead to such conflict of opinion that no religious teaching could be kept up, *Jowett* (1871) 3039. 3224–3227.

4. *Objections not so much against an Accession of Christian Dissenters as of Infidels and Sceptics, by an Abolition of Tests:*

Little, if any, evil effect apprehended from the admission of Christian Dissenters as fellows of colleges, as compared with the evil from the accession of persons opposed to religious teaching, *Chase* (1870) 34, 35. 143–149——Object of the opponents of the Bill to keep out the enemies of dogmatic teaching, rather than to exclude Dissenters; question hereon as to the efficacy of tests for this purpose, *ib.* 143–149. 352–368——

Statement

Reports, 1870, 1871—*continued.*

DISSENTERS OR NONCONFORMISTS—continued.

4. *Objections not so much against an Accession of Christian Dissenters, &c.*—continued.

Statement as to the question of tests not being exclusively a Dissenters' question, *Perowne* (1870) 676-679.

Mischief apprehended, not from Nonconformists, but from sceptics and infidels, *Liddon* (1871) 802; *Atkinson* (1871) 2929-2934——Witness would view the Bill very differently if it had the effect only of facilitating the introduction of Nonconformists to the university, *Liddon* (1871) 802. 814, 815.

Non-objection to the admission of Nonconformists to the honours and emoluments of the university, provided there be a security for religious education, *Lightfoot* (1870) 844——Explanation that witness is no alarmist with reference to the accession of Nonconformists, and considers there is more danger from the admission of anti-Christians, *ib.* 954-966.

Approval of such a relaxation of tests as will admit Christian Dissenters to fellowships and tutorships, it being at the same time important that the test shall exclude Socinians, *Woollcombe* (1871) 2042-2049. 2089——Objection to the Bill rather as sweeping away the safeguards against irreligion rather than as facilitating the admission of Dissenters, *Leighton* (1871) 2294-2298.

5. *Increasing Number of Dissenters at the Universities:*

Impression as to Nonconformist undergraduates being an increasing body at Cambridge, *Lightfoot* (1870) 950. 951. 967——Preference of Dissenters for Cambridge as compared with Oxford, *Appleton* (1871) 1592, 1593——Increasing number of Nonconformists at Oxford, *Jowett* (1871) 3154, 3155.

6. *Representations generally in favour of the free Admission of Dissenters:*

Advantage anticipated to Dissenting students by the removal of university tests, notwithstanding the influence of the study of philosophy to which they might be subject at the universities, *Angus* (1871) 1340-1350.

Desire of witness that the Bill before the Committee should pass, though he has not taken any active part in its support, *Allon* (1871) 2472. 2509, 2510——Approval of a preliminary education of Nonconformist students at Oxford and Cambridge, in the event of the passing of the Bill, *ib.* 2486-2495.

Explanation that it is not proposed to interfere with specific endowments for the strict purpose of the education of the clergy of the Church of England, but only to open to Nonconformists all fellowships and tutorships now open to laymen, *Reed* (1871) 2543-2546. 2550-2552. 2727-2731——Expected large increase of Nonconformists at the universities if tests be abolished; separate theological teaching apart from the universities, *Stoughton* (1871) 3373-3378.

7. *Particulars in connection with Nonconformist Colleges:*

Belief as to all Dissenting colleges having tests, *Perowne* (1870) 537. 550-553——Distinction doubtless between Dissenting colleges for the ministry and colleges intended for general education, *ib.* 746, 747.

Statement as to there being about ten or twelve Nonconformist colleges, the students being carefully examined on admission, and tests not being required, *Allon* (1871) 2407-2409. 2415——Explanation relative to the teaching body of the Nonconformist colleges, and the means taken to get rid of tutors who have relapsed from orthodoxy, *ib.* 2416-2424. 2473, 2474——Opinion that the Nonconformists could not dispense with their distinctive theological institutions, even though tests be removed at Oxford and Cambridge, *ib.* 2432.

Endowments of Nonconformist colleges adverted to as being strictly for the purpose of training men for the ministry, *Reed* (1871) 2547-2549. 2553-2557. 2636——Discouragement of endowments among Nonconformists; decision in the case of Lady Hewley's bequests adverted to hereon, *ib.* 2684-2692. 2732-2734.

Test applied to the students in Nonconformist colleges; check also in the appointment and dismissal of teachers, *Raleigh* (1871) 3261-3266——Explanation relative to the constitution of Nonconformist colleges, and the steps taken in order to guard against theological error, *Stoughton* (1871) 3321-3332——Existence of a trust deed in the case of each college, containing specifications of the truths to be taught; no subscription is required either from a professor or a student, *ib.* 3322, 3323.

Requirement that each student must be a member of a Congregational church, and must come with the recommendation of his pastor, *Stoughton* (1871) 3322——Power of the trustees of Nonconformist colleges to prevent objectionable teaching by the tutors, *ib.* 3330-3332.

See also *Abolition of Tests. Baptist College, Regents' Park. Baptists. Chapel Services. Cheshunt College. Coward's Trust. Davidson, Dr. Denominational and Undenominational Colleges. Morality. New College (Congregationalists). Religious Teaching. Small Colleges. Tutors. Unitarians.*

Reports, 1870, 1871—*continued.*

DIVINITY PROFESSORS:

Explanation on the subject of the Oxford University examination in Divinity, with reference to the possible effect of the abolition of tests, *Chase* (1870) 13-18——Impression that the four principal Divinity professorships at Oxford would not be affected by the Bill, *ib.* 151, 152——Sufficiency generally of the safeguard in the Bill relative to the election to the office of Divinity Professor, *ib.* 302, 303——Necessity of a new mode of appointment of theological professors if tests be abolished, *Perowne* (1870) 497-504——Contemplated continuance, under the Bill, of the requirement as to Divinity instruction for a degree, *Lightfoot* (1870) 1144, 1145——Expediency of retaining the present test for the Divinity professorships, *Liddon* (1871) 661.

Suggestion whether there might not be at Oxford, as at Bonn, separate faculties of Cristianity or theology; non-objection in such case to a test for each professor, *Appleton* (1871) 628-631——Expediency of the tests being retained for Divinity degrees and professorships, *Mansel* (1871) 836, 837. 868——Grounds for objecting to a proposal that there should be at Oxford a separate faculty of Divinity for each branch of Christianity, *ib.* 838-840——Statement as to the Divinity professors at Cambridge being all in Holy Orders, *Thompson* (1871) 1090-1092——Approval of an exceptional retention of tests in the case of Divinity professors, *Hartog* (1871) 1258-1262.

Approval of a provision that Divinity professors must be persons who have taken same orders in the Church, *Roundell* (1871) 1486, 1487——Contemplated provision by the colleges, not only of the chapel services, but of lecturers in Divinity, *ib.* 1488——Reference to the Divinity of professorships as being expressly excepted from the Bill, *ib.* 1549, 1550——Power of the colleges to appoint Divinity lecturers, *ib.*

Objection to the Divinity professors being exempt from a declaration of conformity with the Church of England, *Ince* (1871) 1756. 1798——Suggestion as regards professorships, that Divinity professorships be expressly exempted in the interpretation clause, *Campion* (1871) 1847-1852——Diminution of late years in the number of Divinity lectures in the colleges; further diminution under the proposed Bill, *Woollcombe* (1871) 1999-2003. 2023-2026——Expediency of a declaration of conformity in the case of professors of Divinity, *Waraker* (1871) 2115, 2116——Advantage of the professors of Divinity, as at Cambridge, being in Holy Orders, *ib.* 2116. 2151.

Disapproval of a test in the case of the professors of Divinity, although witness does not object to these being appointed for the purpose of teaching Church of England doctrines, *Reed* (1871) 2605-2616. 2622-2624——Opinion that a test is not required as regards teachers of Divinity, *Bateson* (1871) 2862, 2863——Contemplated continuance of the present test for Divinity professors, *Atkinson* (1871) 2992.

Opinion adverse to tests in the case of Divinity professors as well as other professors, *Jowett* (1871) 3026-3029——Examination in further support of the conclusion that there should be no test for Divinity professors, it being preferable to leave the appointing body entirely unrestricted, *ib.* 3049-3065. 3128, 3129——Contemplated retention of their endowments by Divinity professors, *ib.* 3060-3095. 3209——Necessity of some provision if denominational teaching by Divinity professors is to be preserved, tests being abolished; that is as a check upon lay professors, *ib.* 3128-3132.

Resolution of the Committee involving the continuance of tests as regards Divinity professors, *Second Rep.* (1871) iii.

See also *Hulsean Professorship. Norrisian Professorship. Regius Professor of Divinity.*

Downing College (*Cambridge*). Unfairness of removing tests at Downing and other modern colleges, unless they be removed also at Baptist and other Nonconformist colleges, *Perowne* (1870) 573-578——Greater reason for Downing College being thrown open to Unitarians than for Cheshunt College being so opened, *Allon* (1871) 2464-2471.

See also *Post-Reformation Colleges.*

Durham University. Exemption of Durham University from the operation of the Bill, if there be a clause saving post-Reformation endowments to the Church of England, *Waraker* (1871) 2169, 2170.

E.

Education Act. Approval of a settlement of the question of tests on the same principle as the popular education question has been settled in reference to religion, *Chase* (1870) 396-398.

Election of Fellows. See *Fellowships.*

Election of Tutors. See *Tutors.*

Reports, 1870, 1871—*continued.*

ENDOWMENTS:

1. *Conclusions adverse to Parliamentary Interference, especially as regards Post-Reformation Endowments.*
2. *Views of Nonconformist Representatives.*
3. *Defence of Parliamentary Interference as regards Endowments generally.*
4. *Better Security of College Endowments or Property by a Removal of Tests.*
5. *Suggested Re-distribution of Endowments out of Oxford.*
6. *Exceptions taken generally to Religious Endowments.*

1. *Conclusions adverse to Parliamentary Interference, especially as regards Post-Reformation Endowments:*

View of some fellows at Cambridge, that post-Reformation foundations should have a distinct treatment; witness is disposed to concur in this view, *Lightfoot* (1870) 952, 953——Opinion favourable to a distinction between endowments dating from before the Reformation and those of a more modern date, *Scott* (1871) 119–125.

Numerous and large endowments attached since the Reformation to particular colleges at Oxford, there being a special claim in these cases that a declaration be made of conformity to the Church of England, *Liddon* (1871) 665-669——Approval of a distinction with reference to the dates of the college endowments, it being preferable that some colleges should be denominational rather than they should all be thrown open, *Liddon* (1871) 772–776; *Athinson* (1871) 2993–2997.

Difficulty of a general enactment distinguishing between pre-Reformation and post-Reformation endowments with reference to tests; each college should decide for itself, *Campion* (1871) 1897–1910——Injustice of the Bill with reference especially to the post-Reformation endowments, as in the case of Balliol College; claims also of the Church of England to the pre-Reformation endowments, *Woollcombe* (1871) 2084–2086.

Argument that the pre-Reformation and post-Reformation endowments were equally made in favour of the Church of England, *Waraker* (1871) 2164, 2165——Mention of three colleges at Cambridge as entirely post-Reformation, whilst every college is partly so, *ib.* 2164. 2168——Questionable advantage of a distinct recognition of the right of the Church to the post-Reformation endowments, *ib.* 2166–2168.

2. *Views of Nonconformist Representatives:*

Conclusion as to the absence of any hardship in applying to the doctrinal teaching of students bequests specially made for the purpose, *Angus* (1871) 1323–1327——Admission that there appears to be no injustice in retaining the clerical fellowship, founded for the use of the Protestant Church since the Act of Uniformity, *ib.* 1351——Approval in the case of denominational bequests of the governing body being elected by persons desirous of carrying out the denominational object, *ib.* 1359, 1360——Opinion that there is no good reason for distinguishing between colleges founded before the Reformation and colleges since that date, so far as common or national education is concerned, *ib.* 1376–1385.

Examination to the effect that Church of England colleges founded by private endowments since the Reformation, cannot justly be dealt with as national property, irrespectively of the Church, *Allon* (1871) 2496–2503. 2511–2516.

Evidence in support of the conclusion that Parliament should deal with religious endowments, as at Oxford and Cambridge, in the interests of the nation, but that endowments of recent date for denominational purposes should be held sacred, *Reed* (1871) 2535–2546. 2674–2726. 2732–2785——Distinction between the colleges and Dissenters' chapels, as regards the question of the latter not being institutions in the same sense as the former, *ib.* 2535–2545——Expediency of the right of State interference with endowments for religious or other purposes, *Ruleigh* (1871) 3247–3250. 3286–3293.

Advantages of colleges at Oxford and Cambridge, in a national sense, as compared with the advantages of the voluntary system of Nonconformist colleges; question hereon as to the right of Parliamentary interference with the endowments in the former case, *Stoughton* (1871) 3333–3350. 3393–3397——Reason for Parliamentary interference with endowed colleges at the universities, which do not apply to theological halls or colleges supported by Nonconformists, *ib.* 3378–3381——Admission that post-Reformation endowments do not stand in the same category as pre-Reformation endowments, and that same argument exists for separate representation of denominationalism, *ib.* 3393–3400.

3. *Defence of Parliamentary Interference as regards Endowments generally:*

Decided objection to any distinction by the Bill between pre-Reformation and post-Reformation colleges at Cambridge, *Thompson* (1871) 1119–1121——Grounds for disapproving of any distinction between pre-reformation colleges and post-Reformation colleges, *Neate* (1871) 1183, 1184. 1209–1214——Partial distinction which may be drawn between pre-Reformation colleges and those founded in recent years, in which there is a clear knowledge of the intentions of the founders, *ib.* 1185.

Reports, 1870, 1871—*continued.*

ENDOWMENTS—continued.

3. *Defence of Parliamentary Interference as regards Endowments, &c.*—continued.

Conclusion adverse to the proposition that a distinct treatment should be observed towards post-Reformation endowments, and that they should be exempted from Parliamentary interference, *Bateson* (1871) 2874–2896——Circumstance of the tests being the creation of Parliament, and not of endowments, *ib.* 2884, 2885.

Suggestion that a lapse of fifty years after the foundation of a religious endowment, might be taken as the time after which there might be Parliamentary interference with the destination of the fund, *Jowett* (1871) 3084–3087. 3104–3109. 3210, 3211—— Grounds for objecting to any distinction in the case of post-Reformation colleges, it being moreover, inexpedient and impracticable to make some of the colleges denominational and some undenominational, *ib.* 3228–3233 —— Opinion that the State has the most entire right to use post-Reformation endowments for the purposes of higher education, *ib.* 3228.

4. *Better Security of College Endowments or Property by a Removal of Tests:*

Conclusion as to a removal of tests leading to a greater security of the university institutions and of college property, *Thompson* (1871) 967–974. 1046–1050.

5. *Suggested Re-distribution of Endowments out of Oxford:*

Different ways in which a large portion of the endowments of the colleges might be applied out of Oxford, *Neate* (1871) 1144, 1145.

6. *Exceptions taken generally to Religious Endowments:*

Grounds for the opinion that it would be much better if endowments were not given for the purpose of teaching religion in the universities, *Jowett* (1871) 3080–3090—— Opinion adverse to religious endowments, though there are some amongst the Nonconformists, *Raleigh* (1871) 3308, 3309.

See also *Denominational and Undenominational Colleges. Downing College. Durham University. Exeter College. Fellowships. Keble College. Morley, Samuel, M.P. National Institutions. Religious Teaching.*

Evasion. Dissent from the statement that persons constantly take the test without considering it binding in any way, *Leighton* (1871) 2319——Tendency to take the test casuistically in one sense, *Jowett* (1871) 3166—— Failure of tests to accomplish their object, men having various ways of getting out of them, *Stoughton* (1871) 3407–3409.

See also *Abolition or Relaxation of Tests.*

Examinations. Arrangement of the examinations at Cambridge by the senate, through the board of classical studies, *Perowne* (1870) 434, 435—— Improbability of the free admission of Nonconformists interfering with the working of the university examinations, *Lightfoot* (1870) 909–912——Considerable influence of individual examiners upon the reading of the students for honours at Oxford, *Liddon* (1871) 701, 702.

Exeter College (Oxford). Practice as to Divinity lectures at Exeter and other colleges; necessity, for the purpose, of a certain number of the fellows belonging to the Church of England, *Ince* (1871) 1610–1619 —— Control of the sub-rector of Exeter over the discipline in the college chapel; mode of his appointment, *ib.* 1620, 1621——Small proportion of the fellows of Exeter not engaged as tutors; much less influence of these than of those engaged in teaching, *ib.* 1622–1624——Opportunities of the head of Exeter College for influencing the undergraduates, *ib.* 1625–1633—— Partially compulsory attendance at the college chapel, *ib.* 1629, 1630.

Necessity of the consent of the visitor, as well as of two-thirds of the college, before the college statutes can be altered, *Ince* (1871) 1637–1640—— Information relative to the conditions attached to the exhibitions at Exeter College; effect of the present Bill in dispensing with the profession now required to be made by candidates, *ib.* 1641–1661——Total of twenty-two scholarships at Exeter, tenable for five years, and held, necessarily, by members of the Church of England, *ib.* 1663–1668—— Occasional reference to the visitor of the college upon points affecting the practical working of the college, *ib.* 1714–1716——Explanation relative to some of the endowments of the college; difficulty of a distinction between pre-Reformation and post-Reformation endowments, *ib.* 1763–1771.

Exhibitions. Large number of exhibitions in the University of Oxford, *ib.* 1662.

F.

FELLOWSHIPS:

1. *Clerical Fellowships.*
2. *Non-resident Fellowships; Objections to which open.*
3. *Suggestions relative to the Tenure, &c. of Non-resident and Sinecure Fellowships.*

Reports, 1870, 1871—*continued.*

FELLOWSHIPS—continued.

4. *Effect of the Bill as to the Election of Fellows; Suggestions on this Subject.*
5. *Extent of Exclusion from Fellowships by reason of Tests.*
6. *Suggestions for dividing Fellowships into two Classes, and for exempting one Class from Tests.*
7. *Statutes relative to Fellowships at Oxford and Cambridge respectively.*
8. *Resolutions of the Committee.*

1. *Clerical Fellowships:*

Expediency of a certain proportion of the fellowships of each college being in Holy Orders; one-third would probably suffice, *Chase* (1870) 177, 178——Estimate of between one-third and one-half as the proportion of clerical fellowships at Oxford, *ib.* 307, 308.

Varying proportion of clerical fellowships in the different colleges at Cambridge, these being liable to reduction at any time by an alteration of the college statutes, *Perowne* (1870) 594-600——Importance attached to the clause in the Bill on the subject of the existence of clerical fellowships, *ib.* 748-752——Doubt as to the Bill necessarily leading to an abolition of clerical fellowships, *Lightfoot* (1870) 1090-1094.

Expected continuance in any case of clerical fellowships on account of the demand for clerical heads of schools, &c., *Rolleston* (1870) 1229, 1230. 1327-1329.

Expected discontinuance of the clerical fellowships as a result of the abolition of tests, *Scott* (1871) 152, 153——Opinion as to the evil of any decided limitation in the number of clerical fellowships, *ib.* 169-171.

Witness is strongly opposed to the clerical restrictions upon fellowships, as frequently necessitating the choice of men of inferior intellectual qualifications, and, therefore, of an inferior class generally, *Roundell* (1871) 1412-1428. 1492-1494——Considerable change required as regards clerical fellowships, *ib.* 1522.

Consideration of the system of clerical fellowships; disadvantage of a positive requirement that a certain proportion of the fellowships must be in Holy Orders, *Campion* (1871) 1874-1884——Strong objection to the Bill on the score of clerical fellowships; importance of maintaining a certain proportion of these as the only security for Church of England tutorships, *Woollcombe* (1871) 2002, 2003. 2040-2042——Instance of competition for a clerical fellowship when a person of very high attainments was elected, *ib.* 2004——Smaller competition for clerical fellowships, so that the term "close" fellowships is being applied to them, *ib.* 2005, 2006.

Approval of the present system as regards clerical fellowships, though agitation will probably take place on this question, *Bateson* (1871) 2860, 2861. 2869-2873——Concurrence in the view as to the importance of a certain proportion of clerical fellowships, *Atkinson* (1871) 2947, 2948. 2986, 2987——Expected agitation relative to clerical fellowships after the passing of the Bill, *ib.* 2998, 2999.

Very grave objections to which the system of clerical fellowships is open, whilst the system does not promote any good religious influence, *Jowett* (1871) 3030, 3031. 3072-3082. 3174-3177. 3186-3191——Necessity, under the system, of electing comparatively inferior men, *ib.* 3030. 3079. 3176. 3186-3191.

2. *Non-resident Fellowships; Objections to which open.*

Statement of the practice at Oriel and at other colleges as to the attendance of non-resident fellows on special occasions, these fellows taking no part in the work of the university, *Chase* (1870) 96-111——Conclusion as to the expediency of reform, irrespectively of the Bill, upon the question of non-resident fellows; objection to these fellowships being held for life, *ib.* 101-118——Doubt as to the advantage of the present non-resident fellows being made to reside, *ib.* 195-197——Further reference to the system of non-resident fellows, as much requiring amendment, *ib.* 226-230——Prospect of an increase in the college revenue divisible among the non-resident fellows, *ib.* 274-279——Statement as to the Bill not affecting in any way the question of non-resident fellows, *ib.* 299, 300. 314, 315——Respect in which the question of non-residence is indirectly affected by the existence of tests, *ib.* 415-417.

Varying proportion of resident and non-resident fellows in different colleges at Cambridge, *Perowne* (1870) 488——Estimate of somewhat less than half the fellows of the Cambridge colleges as non-resident, *Lightfoot* (1870) 1161, 1162——Opinion that non-resident fellowships, though useful in some respects, withdraw too much of the college endowments from directly educational purposes, *ib.* 1163-1166. 1175——Conclusions favourable to certain limitations upon the influence of prize fellowships, *Rolleston* (1870) 1224-1230. 1310-1312.

Exception taken to the system of non-resident fellows, *Stokes* (1871) 428-430——Disadvantage in non-resident fellows interfering as regards discipline and education, *Mansel* (1871) 860-863——Large proportion of non-resident and sinecure fellowships in

Reports, 1870, 1871—*continued.*

FELLOWSHIPS—continued.

3. *Suggestions relative to the Tenure, &c. of Non-resident and Sinecure Fellowships:*

Grounds for objecting to a limitation of lay fellowships, *Browne* (1870) 723, 724—— The tenure might be limited to seven years in those cases in which a fellow did not take a share in the tuition of his college, *Rolleston* (1870) 1224.

Objection to terminable fellowships, save in case of non-residence, *Scott* (1871) 166–168——Doubt as to the expediency of a provision in the Bill that all fellowships should be terminable, *Cookson* (1871) 324, 325——Objection to resident fellowships being terminable, *Stokes* (1871) 451——Opinion that non-resident fellowships should be terminable, irrespective of celibacy, *ib.*——Several alterations desirable as regards the tenure of fellowships, *ib.* 467–470.

Distinction desirable, as regards fellowships, which should be divided into tutor fellowships, student fellowships, and prize fellowships, *Liddon* (1871) 820–828——Proposal that student fellowships be held for only ten years, but that these fellows be allowed to earn a life fellowship by producing a work, or by engaging in some course of study, *ib.* 826, 827——Suggestion that prize fellows be allowed to marry, and that the fellowships be terminable after a period of five years, *ib.*——The tutor fellows engaged on the spot should, after a certain number of years, earn a life fellowship, *ib.* 826.

Suggestion that sinecure fellowships be terminable after ten years, the prohibition upon marriage being withdrawn, *Mansel* (1871) 857–859——Inconvenience and objection to which the system of non-resident fellows is open; restriction desirable as to the tenure of lay fellowships, *Thompson* (1871) 1058–1063. 1112, 1113——Importance of limiting the sinecure fellowships, and of introducing as a rule the terminable principle, *Roundell* (1871) 1523——Opinion that all fellowships regarded as mere prizes of success should be limited in tenure, *Campion* (1871) 1876——Usefulness of non-resident fellowships to the holders of them; suggestion that the tenure be limited to six or seven years, *Jowett* (1871) 3202.

4. *Effect of the Bill as to the Election of Fellows; Suggestions on this Subject:*

Conclusion as to the effect of the Bill in neutralising the obligation to elect fellows with reference to "religion" as well as "education and learning," *Chase* (1870) 264–266——Explanation as to the government of many of the larger colleges having been confined to a small body of fellows previously to the legislation of 1854, *ib.* 419, 420—— Probability of religious bias and partly feeling entering into the election of fellows if the system of tests were entirely done away with, *Perowne* (1870) 522–530——Exceptional instances of the fellows or tutors of colleges at Cambridge not being selected from the members of the colleges, *ib.* 640–644.

Difficulties in the way of any new test for fellowships, the present tests being abolished, *Lightfoot* (1870) 846. 987–999. 1045–1053——Provision in the statutes of Trinity College as to the election of fellows having reference to "religion, learning, and education"; difficulty as to exacting the first-named qualification, *ib.* 913–916. 1098–1100—— Disapproval of tests for governing fellows; the only security required being to empower the colleges to elect with reference to religious considerations, *Rolleston* (1870) 1310–1322.

Regard had chiefly to intellectual qualities in the election of fellows at Oxford, *Scott* (1871) 83–87——Probability of the abolition of tests causing fellowships to be still more sought for in particular colleges, *ib.* 127–132——Inexpediency of mere intellectual distinction entitling any man to share in the government of a college, *Stokes* (1871) 462–466.

Approval of a direction to the electing body to be governed by religious considerations in their election of fellows; the term "Christian religion" might be used in the direction, *Thompson* (1871) 978, 979. 990–992——Improbability of the Bill preventing religious fitness being considered by the electing body in the case of fellowships, *ib.* 1101–1111—— Very little safeguard by the provision, that in the election of fellows reference be had to the university as "a place of religion," &c., *ib.* 1124–1129.

Opinion that an abolition of tests would be a benefit to the university as enabling it to have a better choice of men to fill the high offices, *Hartog* (1871) 1241——Witness contends that the restrictions upon fellowships are distinctly injurious to the interests of the Church, *Roundell* (1871) 1419–1421——Injurious effect of the controversial element being introduced into the election for fellowships in any college, *ib.* 1456–1458——Belief that in the election of fellows the controversial element in colleges is not likely to be increased by the abolition of tests, *ib.* 1514–1517.

Probability of religious bias in the election of fellows, as a result of the Bill, *Leighton* (1871) 2261–2264. 2330–2335——Opinion that the election of fellows should have reference, exclusively, to literary merit, irrespectively of religious views, *Jowett* (1871) 3113–3120. 3124–3127.

5. *Extent of Exclusion from Fellowships by reason of Tests:*

Exceedingly rare instances at Cambridge of Dissenters or others being excluded from fellowships by the tests; very little ground for complaints of hardship on this score, *Perowne*

Reports, 1870, 1871—*continued.*

FELLOWSHIPS—continued.

5. *Extent of Exclusion from Fellowships by reason of Tests*—continued.

Perowne (1870), 538-540. 660. 740-742. 805-809——Evil of the test for fellowships in causing the rejection of men of high intellectual qualifications, *Lightfoot* (1870) 923, 924——Evil also in the occasional resignation of fellowships on conscientious grounds, *ib.* 924. 1000-1003.

Very few instances at Oxford of men being debarred from the enjoyment of emoluments through conscientious objection to take the tests, *Liddon* (1871) 813——Absence of inclination at Oxford to exclude men who have taken good degrees from honours and endowments, *Mansel* (1871) 887.

Evil of the present system as causing the frequent exclusion of admirable candidates for fellowships and professorships at Cambridge, *Thompson* (1871) 974, 975. 1050-1057——Several instances cited in which persons have been excluded from fellowships at Cambridge through objecting to the tests, *Hartog* (1871) 1226-1231. 1281-1284——Tendency of the test to retard and injure the professional career of men who have been precluded thereby from obtaining fellowships, *ib.* 1290, 1291.

Small number of men at Oxford really affected by the application or the abolition of tests, *Appleton* (1871) 1572——Hardship in the exclusion of witness's son from a fellowship, *Reed* (1871) 2741.

Operation of the tests at Cambridge in preventing persons from holding fellowships; instances of this, *Bateson* (1871) 2798-2800. 2837, 2838——Feeling excited in the university by the exclusion of Mr. Hartog, Mr. Aldis, and others from fellowships, *ib.* 2837, 2838. 2897, 2898——Very general sense in which the tests are taken, whereas they have the effect of excluding one-half the nation from the universities, *Jowett* (1871) 3018.

List of some of the persons who have taken honours at Cambridge, who have been excluded from fellowships by the tests, *App.* (1871) 337.

6. *Suggestions for dividing Fellowships into two Classes, and for exempting one Class from Tests:*

Proposition that a proportion of the endowments of the university might be applied to the creation of a fund for university fellowships, for which merely an examination, without any test, should be required, *Chase* (1870) 91-94. 317-319——Proposal that the fellows elected without a test should have no part in the college government, *ib.* 93-96——Explanation that it is part of witness's proposal that university fellows, not taking tests, should be eligible to college fellowships, if they would subscribe to the test, *ib.* 127. 137——Probable discontent of fellows, who through not taking tests would be ineligible for college tutorships, *ib.* 128-130.

Dissent from the view that the proposed university fellowships would have an anti-theological character, in contrast with the college fellowships, *Chase* (1870) 135-139. 204-208——Belief that under witness's scheme tests would be taken with more sincerity and responsibility, *ib.* 198-200——Contemplated appropriation of about one-half the college endowments for the creation of university fellowships, *ib.* 201-203——Expectation that Free Thinkers and others who have scruples in subscribing to the present tests would prefer to go in for university fellowships not involving any test, *ib.* 286-291——Doubt as to any widespread dissatisfaction existing through the proposed university fellows not being eligible for tutorships, *ib.* 309-312. 340, 341.

Exception taken to the proposal for exempting some fellowships from tests, witness regarding all fellowships as offices of trust and responsibility, *Perowne* (1870) 483-486——Expected complaint by Dissenters if persons admitted to the membership of the senate could not get the higher university offices without a test, *ib.* 505, 506——Injurious effect likely to arise from the plan of university fellowships proposed by Mr. Chase, *ib.* 536——Approval, if it be practicable, of the plan for establishing certain prizes without tests, provided no duties be attached to such prizes, 548, 549——Doubt whether even in the large colleges, such as King's, it would be well to throw open a portion of the fellowships, such fellows not to engage in the work of teaching at the university, *ib.* 603-607.

Concurrence in the view that in Trinity and other colleges the reasonable demands of Nonconformists would be met by admitting them to fellowships, short of those involving trusts, *Lightfoot* (1870) 1055-1062.

Less danger in relieving prize fellowships from restrictions than those fellowships which are offices of trust; difficulty, however, of retaining restrictions in the latter case, *Scott* (1871) 112-118——Proposition for opening two-fifths of the fellowships of each college to persons not members of the Church of England, and for retaining three-fifths for Churchmen, *Cookson* (1871) 208-214. 222-226. 268-273. 277-282. 306, 307——Safeguard as to religious teaching if there were two classes of fellows, and if religious instruction, &c. were entirely under that class of fellows who are members of the Church of England, *ib.* 251-253——Contemplated relaxtion of tests in the case of fellowships to which emoluments without duties are attached, *Stokes* (1871) 343. 346. 427-430.

Reports, 1870, 1871—*continued.*

FELLOWSHIPS—continued.

6. *Suggestions for dividing Fellowships into two Classes, &c.*—continued.

Proposed division of fellowships into two classes, tests being dispensed with in the case of sinecure or non-resident fellows, *Mansel* (1871) 856–864. 871——Proposal that resident fellowships to which duties are attached be held for life under certain conditions, and that there should be a test involving a declaration of conformity to the Liturgy of the Church of England, *ib.* 865, 866——Expected dissatisfaction if fellowships were not to convey eligibility to the government of a college, or to education in the college, *Neate* (1871) 1221.

Suggestion that by making a distinct class of fellowships, to be kept separate from tutorships, Dissenters might be open to acquire the college emoluments without interfering with the religious teaching, *Ince* (1871) 1605. 1677——Further evidence in favour of a distinction between sinecure or non-resident fellowships and teaching fellowships, the test being less important in the former case, *ib.* 1737–1740. 1803–1813.

Proposal that no test be required from a person taking a fellowship as a prize, and that a test be imposed only on appointment to tutorships, *Campion* (1871) 1853–1861. 1885. 1890. 1928–1932——Reason for abandoning, in the case of prize fellowships, any test requiring the profession of religious belief, *ib.* 1885, 1886. 1890–1892. 1895.

Proposed distinction between resident and non-resident fellows, with a view to exempting the latter from tests, *Leighton* (1871) 2274. 2334. 2336–2338. 2351——Suggested limitation of the number of fellowships to be thrown open in any college to one-third of the whole number, *Atkinson* (1871) 2942–2948. 2972. 2988, 2989.

7. *Statistics relative to Fellowships at Oxford and Cambridge respectively:*

Return showing the number of fellows of each college at Oxford, the number habitually absent, the number holding college offices, and the number required to take orders or proceed to Divinity degrees, *App.* (1870) 124–129——Return containing similar particulars relative to the colleges at Cambridge, *ib.* 130–133.

Analysis of preceding Returns as regards fellowships and college officers at Oxford and Cambridge respectively, *App.* (1871) 361.

8. *Resolutions of the Committee:*

Resolution that no test be required to enable any person to hold a fellowship, *Second Rep.* (1871) iii.——Also, that no fellow, unless he shall have become and continued to be a tutor, lecturer, or dean of his college, shall be one of the governing body of such college until he shall have been an M. A. or B. C. L. of the University for three years, *ib.*

See also *Abolition or Relaxation of Tests. Chapel Services*, 2. *Church of England. Colleges. Congregation (Oxford). Denominational and Undenominational Colleges. Dissenters or Nonconformists. Heads of Colleges. Litigation. Oriel College. Religious Teaching. Roman Catholics. Senior Wranglers. Statutes of Colleges. Trinity College (Cambridge). Tutors. University Reform Act of 1854.*

Final Classical School (Oxford). Information relative to the extent and character of the study of philosophy by young men who read for honours in the final classical school; particulars as to the works of German and other writers used, *Appleton* (1871) 490 *et seq.*——Effect of the education for the final classical school in causing a loosening and reconstruction of belief, the tests interfering with the process of reconstruction, *ib.* 490–492. 524——The tests really touch only a very small proportion of the young men who go to Oxford, namely, those who study philosophy and history for the final classical school, *ib.* 490. 570–573. 615.

Examination relative to, and in strong disapproval of, the restricted and one-sided study of philosophy in the final classical school at Oxford, the result being, not infrequently, infidelity, *Liddon* (1871) 695–702. 706. 711–726. 748–762. 816——Evidence favourable to the division of the final classical school into three distinct schools, so that philosophy, history, and philology may each be thoroughly studied in a separate school, *ib.* 697–700. 714. 478–759.

Statement on the subject of the study of philosophy in the final classical school, and the extent of evil which has arisen therefrom in recent years as regards religious belief, *Mansel* (1871) 873–875. 895–900.

Further statement ss to the tests intervening at a most inopportune moment, in preventing the natural reconstruction of belief, *Appleton* (1871) 1572——Obstacles to any increase of the time for study in reference to the final classical school; agitation at Oxford for breaking up the school, *ib.* 1594–1596.

Effect of the one-sided study of philosophy in the final school in loosening belief, *Ince* (1871) 1680–1684——Information relative to the books of philosophy used in the examinations for honours in the classical school, and the changes made in the studies in 1852, and previously, *ib.* 1695–1701. 1750–1762. 1780–1795.

Dangerous

Reports, 1870, 1871—*continued.*

Final Classical School (*Oxford*)—continued.

Dangerous tendency of the philosophical studies in the final classical school at Oxford, more especially on account of the modern books now used; expediency of the *pari passu* study of Christian doctrine, *Woollcombe* (1871) 1989-1995. 2075-2085.

Evidence relative to the final classical school, and the character and effect of the philosophical and metaphysical studies in recent years; denial that the effect has been to produce a state of scepticism or infidelity, *Jowett* (1871) 3041-3046. 3167-3173. 3182-3185. 3192-3201——Further statement that the operation of the final classical school at Oxford, and the changes in the course of study, have not produced any increase of scepticism or infidelity during the last ten years, *ib.* 3192-3201.

Foreign Universities. Absence of the domestic system of colleges at foreign universities where they have no tests, *Chase* (1870) 151, 152——Absence of analogy between English and foreign universities as regards the religious question, *ib.* 399-402——Exception taken to the system of theological instruction in foreign universities, as not being applicable to this country, *Perowne* (1870) 816-820.

G.

German Philosophy. Explanation relative to the study of German philosophy at Oxford, there being too little rather than too much German teaching, *Jowett* (1871) 3042. 3101-3103. 3200, 3201. *See* also *Final Classical School.*

Greek Testament. Difficulty as to lectures on the Greek Testament if the Bill become law, *Cookson* (1871) 296-298.

H.

Hartog, Numa Edward. (Analysis of his Evidence—Session 1871.)—Was senior wrangler in 1869; has been prevented by the tests for trying for a fellowship, and several other senior wranglers have been restrained in the same way, 1226-1231——Growing feeling among the undergraduates at Cambridge in favour of the abolition of tests; result of discussions on the subject in the Cambridge Union, 1232-1239. 1272, 1273. 1277-1280——Want of interest on the part of the undergraduates upon the question of offices being thrown upon, 1237-1239. 1278.

Opinion that an abolition of tests would be a benefit to the university as enabling it to have a better choice of men to fill the high offices, 1241——Tendency of tests to produce dishonesty, whilst all men who are unconscientious are not affected by them, 1241. 1263-1268——Expectation that the abolition of tests will not affect religious teaching in the university or colleges; it may be said, however, that there is now no religious teaching which is compulsory, 1242-1249——Willingness evinced by Protestant Dissenters to attend chapel, 1243. 1246.

Question as to its being advisable, in lieu of tests, to control the nature of the teaching to be given, 1250, 1251——Probability of parents objecting to unrestricted teaching by persons of whose religious opinions they disapproved, 1252, 1253——Very little opportunity of college tutors for affecting the religious belief of their pupils, 1254-1257——Approval of an exceptional retention of tests in the case of Divinity professors, 1258-1262——Benefit in so far as there is no test upon matriculation, 1269-1271.

Several instances cited in which persons have been excluded from fellowships at Cambridge through objecting to the tests, 1281-1284——Non-objection to a test in the case of certain professorships and prizes connected directly with the Church of England, 1285, 1286——Statement to the effect that witness would assuredly have obtained a fellowship at Trinity but for his objection to take the test, 1287-1289. 1292-1295——Tendency of the test to retard and injure the professional career of men who have been precluded thereby from obtaining fellowships, 1290, 1291.

Hawkins, The Rev. E., D.D. Views of the Provost of Oriel adverted to as coinciding very much with the suggestions made by witness; reference hereon to a certain pamphlet recently published by the former, *Mansel* (1871) 888, 889.

Heads of Colleges:

1. *Concurrence of Evidence to the Effect that Headships of Colleges should be excepted from the Bill.*
2. *Dissent from the foregoing View.*
3. *Suggestions as to the Mode of Appointment of Heads of Colleges.*
4. *Number of Heads of Colleges now in Holy Orders.*
5. *Conclusion of the Committee in favour of a Continuance of Tests for Heads of Colleges.*

Reports, 1870, 1871—*continued*.

HEADS OF COLLEGES—continued.

1. *Concurrence of Evidence to the Effect that Headships of Colleges should be excepted from the Bill:*

Increased influence of heads of colleges through being in Holy Orders, *Chase* (1870) 179-183; *Perowne* (1870) 717-719——Inadequate security, if the Bill be passed against the election of a Roman Catholic as head of any college, *Perowne* (1870) 620-626——Serious evil apprehended if the heads of colleges be not, necessarily, members of the Church of England, *ib*, 680-688——Limited effect of the Bill as regards the heads of colleges at Cambridge, it not applying to those in Holy Orders; there is no sufficient safeguard however for the heads of remaining members of the Church of England, *ib.* 760-763. 780.

Suggestions that the heads of colleges be excepted from the Bill; examination in detail as to the several reasons for this proposal, *Lightfoot* (1870) 847-863. 931-935. 1041-1044. 1063-1065——Safeguard by a reservation of headships of colleges, *ib.* 1169.

Advantage in some respects if it were provided that the head of the college should be a member of the Church of England, *Scott* (1871) 88-103——Important safeguard by providing that those who are now in Holy Orders by statute, being heads of colleges, should continue to be so, *ib.* 161, 162——Want of a better safeguard as to the heads of colleges at Cambridge and a majority of the fellows being in Holy Orders, *Cookson* (1871) 195-202——Suggested provision that nothing in the Act shall apply to the headship of any college, *ib.* 208——Further reference to the importance of providing that the heads of colleges shall be members of the Church of England, *ib.* 274-276. 283-287.

Degree of security under the Bill as to the heads of colleges being in Holy Orders, *Stokes* (1871) 478-481——Importance of retaining, if possible, the test for heads of colleges, even though the other tests were removed, *Liddon* (1871) 769, 770. 777, 778——Importance of the present test being retained in the case of heads of colleges, their religious influence being very great, *Mansel* (1871) 852-855. 872——Importance attached to the requirement that many headships of houses must be held by clergymen, *Thompson* (1871) 1093-1096.

Expediency of retaining a test for the heads of colleges, *Campion* (1871) 1896——Suggestions that the Bill should provide for the clerical headships of colleges wherever it now exists, *Woollcombe* (1871) 2038, 2039——Proposal that the *status quo* of the headships of colleges be maintained, *Waraker* (1871) 2119, 2120.

Safeguard by restricting the headships of existing colleges and halls to members of the Church of England, *Leighton* (1871) 2272, 2273. 2325, 2326. 2347——Expediency of the test being retained as regards the heads of colleges, it being very desirable that these should be members of the Church of England, *Athinson* (1871) 2939-2941. 2978.

2. *Dissent from the foregoing View:*

Objection to a requirement, that the heads of colleges shall be members of the Church of England, *Rolleston* (1870) 1264, 1265——Objection to retaining the tests in the case of heads of colleges or professors; probability in the former case of the tests having an undue influence in the appointment of tutors, *Appleton* (1871) 571-583.

3. *Suggestions as to the Mode of Appointment of Heads of Colleges:*

Advantage of heads of colleges being appointed by the Crown, as in the case of Trinity College, *Lightfoot* (1870) 1095-1097——Contemplated application of witness's clause to the head of each college as well as to the tutors, *Rolleston* (1870) 1264. 1319-1321.

Selection, generally, of the master of the college by the college meeting; single exception at Oxford to this rule, *Scott* (1871) 21. 96——Objectionable contest for heads of colleges if the fellows were persons of various theological opinions, *Cookson* (1871) 284-287——Suggestion for vesting the appointment of heads of colleges in a board instead of in the fellows, *Neate* (1871) 1147. 1163. 1188.

Inexpediency of relegating to the fellows the question whether the head of the college should be a member of the Church of England, or the question of clerical fellowships, *Roundell* (1871) 1459-1461——Difficulty likely to arise in the election of heads of colleges if the fellows are of varying creeds, *Leighton* (1871) 2327-2329.

4. *Number of Heads of Colleges now in Holy Orders:*

Return showing for each college and hall at Oxford, whether the head is compelled to be in Holy Orders, *App.* (1870) 124-129——Return containing similar particulars relative to the colleges at Cambridge, *ib.* 130-133.

5. *Conclusion of the Committee in favour of a Continuance of Tests for Heads of Colleges:*

Resolution that heads of colleges be excepted from the operation of the Bill, *Second Rep.* (1871) iii.

Hebrew Professorship. Objection to the Bill with reference, specially, to the election of the Hebrew and Greek Regius Professors at Cambridge, *Perowne* (1870) 627-629——Necessity

Reports, 1870, 1871—*continued.*

Hebrew Professorship—continued.

Necessity of the professorship of Hebrew at Oxford being held by a clergyman; doubt as to this being so at Cambridge, especially if the present Bill be passed, *Mansel* (1871), 919.

Heresy. Nature of the powers of the University of Oxford or of convocation, for dealing with heresy, *Chase* (1870), 46-51——Possible difficulty in dealing with heterodoxy if the court in such cases had not been liable to tests, *Perowne* (1870) 649——Indirect authority of the *Sex Viri* at Cambridge to interfere in cases of heretical teaching, *ib.* 942-945.

Power of the university to remove a tutor or a member of any college for open heresy, *Scott* (1871) 42-51——Suggestion whether Oxford University might not still retain the power of restraining its professors from openly teaching anything contrary to the Christian religion, or to the doctrines of the Church of England, *Neate* (1871) 1141, 1142.

Explanation of the powers of the Vice Chancellor of Oxford and of convocation respectively, in regard to the suspension or degredation of professors and others for heterodox teaching, *Leighton* (1871) 2209 *et seq.*——Removal by the Bill of the present powers over the professors in case of heresy, *ib.* 2243-2248. 2320——Power of the Vice Chancellor to require anyone who is suspected of heresy to renew his test, *ib.* 2245-2248.

Witness is not aware of any powers in the Vice Chancellor of Cambridge to restrain heterodox teaching on the part of the ordinary professors, though he has such power as regards the Divinity professors, and the professors of Greek and Hebrew, *Atkinson* (1871) 2915-2920——Belief that there is no power of punishment of the members of the university generally, the visitors, however, having large and undefined powers, *ib.* 2921-2923.

Hewley Charity. Case of Lady Hewley's Charity adverted to as showing how denominationalism may be preserved without tests, *Neate* (1871) 1192-1196.

Holy Orders. Suggestions on the subject of Divinity professors, and portion of the fellows and heads of colleges, being in Holy Orders; expediency of this question not being left to university or college legislation, *Waraker* (1871) 2116-2126. 2151——Suggestions on the subject of certain alternative qualifications, other than Holy Orders, in the case of fellows and persons holding offices, *ib.* 2120-2126. 2182-2186.

See also *Clerical Fellowships. Divinity Professors. Heads of Colleges.*

Honours. List of some of the persons who have taken honours at Cambridge within the last few years, who have been excluded from fellowships by objecting to the tests, *App.* (1871) 337.

Hulsean Professorship. Difficulty, under the Bill, in connection with the appointment of the Hulsean professorship of Divinity at Cambridge, *Perowne* (1870) 633——Importance of a test in the case of the Hulsean Professor, *Perowne* (1870) 707, 708; *Cookson* (1871) 308-316. 323; *Stokes* (1871) 370-374. 416-423.

See also *Divinity Professors.*

I.

Ince, The Rev. William. (Analysis of his Evidence—Session 1871). Is a fellow of Exeter College and sub-rector, 1601, 1602——Suggestion that by making a distinct class of fellowships, to be kept separate from tutorships, Dissenters might be open to acquire the college emoluments without interfering with the religious teaching, 1605. 1677——Considerable power of tutors over the religious teaching in their colleges, by reason of their personal influence with the students, 1606-1609——Practice as to Divinity lectures at Exeter and other colleges; necessity, for the purpose, of a certain number of the fellows belonging to the Church of England, 1610-1619.

Control of the sub-rector of Exeter over the discipline in the college chapel; mode of his appointment, 1620, 1621——Small proportion of the fellows of Exeter not engaged as tutors; much less influence of these than of those engaged in teaching, 1622-1624——Opportunities of the head of Exeter College for influencing the undergraduates, 1625-1632——Partially compulsory attendance at the college chapel, 1629, 1630——Valuable influence of the chapel serviees, 1631, 1632——Conditions subject to which the college authorities might discontinue the service in the chapel, 1633-1640.

Information relative to the conditions attached to the exhibitions at Exeter College; effect of the present Bill in dispensing with the profession now required to be made by condidates, 1641-1661——Large number of exhibitions in the university, 1662——Total of twenty-two scholarships at Exeter, tenable for five years, and held, necessarily, by members of the Church of England, 1663-1668——Expectation that under the Bill, religious education would be allowed to fall into the background, through the diversity of religious opinion among the college fellows, 1669-1676.

Reports, 1870, 1871—*continued.*

Ince, The Rev. William. (Analysis of his Evidence—Session 1871)—*continued.*

Large proportion of non-resident and sinecure fellowships in some of the colleges; tendency to diminution of these in some of the largest colleges, 1678, 1679. 1782–1785——Effect of the one-sided study of philosophy in the final school at Oxford, in loosening belief, 1680–1684——Expectation that college tutors and professors holding sceptical opinions would be more ready to propound them, if no longer under the restraint of a test, 1685, 1686. 1702–1706——Large influence of the private tutors, these not being bound by any test, and the Bill making no alteration as regards them, 1685. 1687–1690. 1720–1728——Power of heads of colleges as to the appointment of tutors, the amount of pay being decided by the colleges, 1691–1694.

Information relative to the books of philosophy used for the examinations for honours in the classical schools, and the changes made in the studies in 1852, and previously, 1695–1701. 1759–1762. 1786-1795——Increased value of tests, by reason of the greater tendency to the teaching of sceptical opinions, 1702–1705——Admission as to the tendency of tests to cause irritation in those who do not attach any importance to them, and to induce antagonism to religion and to the Church, 1706–1709. 1746–1749. 1757, 1758.

Opinion that the continuance of the Church of England service in the college chapels should be imperative, and should not be left to the discretion of the existing body of fellows, for the time being, 1710–1713. 1750–1754. 1796. 1816——Occasional reference to the visitor of Exeter College upon points affecting the practical working of the college, 1714–1716——Grounds for objecting to any interference with the right of the colleges to impose conditions or tests in the appointment of tutors, 1717–1719. 1741–1743.

Concurrence in the principle of the Bill, as regards the universities, but not as regards the colleges, 1729. 1731. 1796–1802. 1812, 1813——Approval of a relaxation of the present tests at Oxford, as by the adoption of the test at Cambridge, in lieu of subscription to the Thirty-nine Articles, 1730–1736. 1796–1802. 1809–1811. 1814, 1815——Further evidence in favour of a distinction between sinecure or non-resident fellowships, and teaching fellowships, the test being less important in the former case, 1737–1740. 1803–1813——Proposal as regards professors, that the test be in the form of a declaration, that they would teach nothing contrary to the Christian faith, 1755–1797. 1799. 1817–1827——Objection to the Divinity professors being exempt from a declaration of conformity with the Church of England, 1756. 1798.

Explanation relative to some of the endowments in Exeter College; difficulty of a distinction between pre-Reformation and post-Reformation endowments, 1763–1771——Expediency of the question of tests and of other changes at Oxford being dealt with by means of one and the same Bill, 1772–1775——Importance, in a national sense, of the study of theology being carried on at the universities, and being subject to salutary restrictions, 1776–1781.

Infidelity and Scepticism. Conclusion that indifference is the chief thing to be feared in the absence of tests; less restraint also upon the expression of anti-Christian opinions, *Chase* (1870) 143–149. 352–368——Effect of the tests in impeding undogmatical teaching, *ib.* 316——Apprehension that not only some colleges might fall into the hands of particular sects, but that a party of infidelity might start up, *Perowne* (1870) 768–772——Doubt as to any form of test being possible which should be an effectual check upon sceptical opinions, whilst not checking the various forms of dissent, *Lightfoot* (1870) 990–999.

Witness considers that an unconditional abolition of tests would make very little difference at Oxford, as regards the systematic undermining of belief, *Appleton* (1871) 488–490——Wording of the test adverted to as tending to show that disbelievers might subscribe to it, *ib.* 532. 554–557.

Probability of some professors and lecturers, if no longer restricted by tests, not hesitating to teach anti-Christian doctrines, *Liddon* (1871) 793–796——Conclusion that the real question at issue is between Christianity and non-Christianity, and not between Church and Dissent, *Liddon* (1871) 802; *Atkinson* (1871) 2929–2934.

Responsibility of individuals, rather than of the university rules or system, for the loosening of religious belief at Oxford in recent years, *Mansel* (1871) 840, 841. 873–875. 895–900——Relative efficiency of the test in the case of Dissenters, and of persons holding no distinct form of belief, *Thompson* (1871) 946–957. 1019–1028.

Consideration of the causes to which may be attributed the unsettlement of belief which exists at Oxford; opinion that the abolition of tests would give no impetus in this direction, *Neate* (1871) 1156–1170. 1189–1191——Belief that the great majority of the better men at Oxford are reverential and well-disposed towards religion, and that the tendency of the place is not to bring about a state of unbelief, *Roundell* (1871) 1489.

Increased value of tests by reason of the greater tendency to the teaching of sceptical opinions in recent years, *Ince* (1871) 1702–1785——Evil of the Bill as calculated to remove the security of the Church of England teaching in the colleges, and as causing a tendency to unbelief by reason of the variety of teaching that would be encouraged, *Leighton* (1871) 2254–2271. 2288–2293.

See also *Anti-Religious Teaching. Final Classical School (Oxford). Heresy. Jowett,*

Reports, 1870, 1871—*continued.*

J.

Jowett, The Rev. Benjamin. (Analysis of his Evidence—Session 1871.)—Approval of an entire abolition of tests, the present Bill not going far enough, 3014-3016——Failure of tests at Oxford in preventing divergencies of religious opinion, 3017, 3018——Very general sense in which the tests are taken, whereas they have the effect of excluding one-half the nation from the universities, 3018——Unfavourable effect of the tests as regards the Church of England, 3019, 3020——Belief that religion would be in a more favourable position if not "protected" by tests, and that a negative test would produce very bad effects, 3021-3025.

Conclusion that the chief safeguard with reference to religion and religious opinions in the universities is to be found in the general religious feeling of the community, 3022-3047——Ambiguity and difficulty in connection with any test, however comprehensive, any attempted line of distinction between Christians and non-Christians being very undesirable, 3023. 3222, 3223——Opinion adverse to tests in the case of Divinity professors as well as other professors, 3026-3029——Increased authority of professors if not bound by tests, 3027. 3070, 3071——Very grave objections to which the system of clerical fellowships is open, whilst the system does not promote any good religious influence, 3030, 3031.

Non-objection to a positive enactment for the maintenance of the chapel services so long as the Church of England remains established; this should apply only to Sundays, 3032-3038. 3047. 3217——Belief that the presence of fellows of different denominations in any college would not lead to such conflict of opinion that no religious teaching could be kept up, 3039. 3224-3227——Expectation that in the absence of tests the colleges will remain in very much the same state as at present, and that parents will not be alarmed about sending their sons to the universities, 3040. 3117, 3118.

Evidence relative to the final classical school at Oxford, and the character and effect of the philosophical and metaphysical studies in recent years; denial that the effect has been to produce a state of scepticism or infidelity, 3041-3046. 3167-3173. 3182-3185. 3192-3201——Explanation relative to the study of German philosophy at Oxford, there being too little rather than too much German teaching, 3042. 3101-3103. 3200, 3201.

Objection to any compulsory religious instruction in the universities, 3047. 3178-3181——Improbability of the colleges neglecting so important an influence as religion in education, 3047, 3048——Opinion that it had much better be left to the colleges to decide about having Divinity lectures, &c., 3047. 3181.

Examination in further support of the conclusion that there should be no test for Divinity professors, it being preferable to leave the appointing body entirely unrestricted, 3049-3065. 3128, 3129——Contemplated retention of their present endowments by Divinity professors, 3060. 3095. 3209——Opinion as to the expediency of the same latitude and freedom in the examination of facts and opinions in theology as of other facts and opinions, 3065-3069——Further evidence in support of witness's objections to the system of clerical fellowships, as being productive of much evil, 3072-3080. 3174-3177. 3186-3191.

Grounds for the opinion that it would be much better if endowments were not given for the purpose of teaching religion in the universities, 3080-3098——Approval of Divinity tutors being paid out of the general tutorial fund of the colleges for such teaching as might be required of them, 3093-3098——Suggestion that a lapse of fifty years after the foundation of a religious endowment might be taken as the time after which there might be Parliamentary interference with the destination of the fund, 3084-3087. 3102-3109. 3210, 3211——Conclusion that university professors, not bound by tests, would not go out of their way to attack either religion or the Church of England, 3099, 3100.

Belief as to the adequacy of public opinion as a security for small colleges taking proper steps in regard to religious education, 3110-3112——Opinion that the election of fellows should have reference, exclusively, to literary merit irrespectively of religious views, 3113-3120. 3123-3127——Advantage of college tutors as religious teachers being partly dependent on their pupils for remuneration, 3121-3124. 3179——Necessity of some provision of denominational teaching by Divinity professors is to be preserved, tests being abolished, that is, as a check upon the lay professors, 3128-3132.

Approval of provision for chapel service on week days if power be given for shortening the service, 3133-3136——Substitution of voluntary for compulsory attendance at Balliol chapel, the attendance being very small on week days; approval of the change of system, 3137-3148——Attendance of Roman Catholics at Oxford at their own chapel; these students are not numerous, and cause no interference with discipline, 3149-3154——Increasing number of Nonconformists, 3154, 3155.

Further evidence to the effect that the abolition of tests would not cause any greater disturbance or divergence of religious opinion at Oxford than has prevailed under the system hitherto, 3156-3165. 3203-3206. 3224-3227——Tendency to take the tests casuistically,

Reports, 1870, 1871—*continued.*

Jowett, The Rev. Benjamin. (Analysis of his Evidence—Session 1871)—*continued.*

casuistically, in one sense, 3166——Explanation that witness is desirous that there should be religious instruction, but objects to any compulsory regulations as to the kind of religion taught, 3178–3181.

Further statement that the operation of the final classical school at Oxford, and the changes in the course of study, have not produced any increase of scepticism or infidelity during the last ten years, 3192–3201——Usefulness of non-resident fellowships to the holders of them; suggestion that the tenure be limited to six or seven years, 3202.

Reiteration of the conclusion that there should neither be a test nor a declaration, either for the protection of religion or of the Church of England, 3207–3221——Grounds for objecting to any distinction in the case of post-Reformation colleges, it being moreover inexpedient and impracticable to make some of the colleges denominational and some undenominational, 3228–3233.

K.

Keble College. Opinion adverse to any interference with the specific purpose of the endowment in the case of Keble College, the institution being of recent date, *Reed* (1871) 2693–2699. 2797——Witness disclaims all idea of interference with the denominational character of Keble College, *Jowett* (1871) 3105.

L.

Learning and Education. Argument that there is no more ground for complaint against a test in reference to religion than there is against a test in reference to learning and education, *Waraker* (1871) 2198–2200.

See also *Colleges. Fellowships. Religious Teaching.*

Lectures. See *Conscience Clause. Divinity Professors. Professors. Religious Teaching. Tutors.*

Legislation. Expediency of at once settling the question of tests, and of dealing separately and subsequently with clerical fellowships and other questions, *Roundell* (1871) 1518–1524——Expediency of the question of tests, and of other changes at Oxford, being dealt with by means of one and the same Bill, *Ince* (1871) 1772–1775——Effect of impending legislation in influencing public sentiment in favour of the line that legislation is taking, *Waraker* (1871) 2131. 2137.

See also *Abolition or Relaxation of Tests. Agitation. Commission. Compulsory Regulations. Public Opinion.*

Leighton, The Rev. Francis Knyvett, D.D. (Analysis of his Evidence—Session 1871.)—Is Warden of All Souls, and was Vice Chancellor of the University of Oxford until the end of last year, 2205, 2206——Explains the powers of the Vice Chancellor and of convocation respectively, in regard to the suspension or degradation of professors and others for heterodox teaching, 2209 *et seq.*——The power also of deprivation has been exercised by the head of the college, with the approval of the visitor, in the case of a fellow who had joined the Church of Rome, 2237–2240.

Power of the visitor of any college to require renewal of the test, and on refusal to deprive, 2241–2244——Removal by the Bill of the present powers over professors in case of heresy, 2243–2248. 2320——Power of the Vice Chancellor to require any one who is suspected of heresy to renew his test, 2245–2248——Exceptional instances of professors at Oxford ever using their Chairs for the purpose of expressing religious views outside the subjects they are appointed to teach, 2249–2251.

Mischief apprehended from the Bill, mainly as regards the colleges, 2252——Prospective effect of the Bill seriously to affect the universities also, and to produce a great alteration in the whole current of university legislation, 2252, 2253. 2310–2318——Evil of the Bill as calculated to remove the security for Church of England teaching in the colleges, and as causing a tendency to unbelief by reason of the variety of teaching that would be encouraged, 2254–2271. 2288–2293——Probability of religious bias in the election of fellows, as a result of the Bill, 2261–2264. 2330–2335——Limited reliance to be placed upon the security afforded by the college statutes, as they are easily altered, 2263. 2299–2309.

Safeguard by restricting the headships of existing colleges and halls to members of the Church of England, 2272, 2273. 2325, 2326. 2347——Suggested distinction between resident and non-resident fellows, with a view to exempting the latter from tests, 2274. 2334. 2336–2338. 2351——Further safeguard by an express enactment maintaining the Church of England services in the college chapels, 2275–2277. 2355, 2356——Value attached to the fourth clause of the Bill but for the repealing clause, 2279.

Bad

Reports, 1870, 1871—*continued.*

Leighton, The Rev. Francis Knyvett, D.D. (Analysis of his Evidence—Sess. 1871)—*cont^d.*

Bad effect of the admission of a large body of Dissenters, on account of the divergent religious views that would prevail, 2280-2284——Tendency of colleges to denominationalise themselves in the absence of tests, 2285——Evil likely to result at first from the influence of individual teachers; power as to the removal of tutors adverted to hereon, 2285-2287——Objection to the Bill rather as sweeping away the safeguards against irreligion, than as facilitating the admission of dissenters, 2292-2298.

Expediency of whatever safeguards are retained being dealt with by Act of Parliament, instead of resting upon college and university statutes, 2299-2305——Dissent from the statement that persons constantly take the test, without considering it binding in any way, 2319——Probability of there being a considerable number of Roman Catholic fellows and tutors if all checks be removed, 2321-2324——Difficulty likely to arise in the election of heads of colleges if the fellows are of varying creeds, 2327-2329——Approval of the test proposed by Sir Roundell Palmer as better than no test at all, 2339-2346.

Opinion that the preamble of the Bill is not carried out by the clauses, 2350——Less dissatisfaction at Oxford with the Bill if the safeguards advocated by witness be adopted, 2352-2356——Practice as to the selection of the preachers in the university; mode of constitution of the board by whom they are appointed, 2357-2367——Objection to publicity being given to the proceedings of the governing bodies of the different colleges, the public not being now admitted when business is being transacted, 2368-2373.

Liddon, The Rev. Henry Parry, D.D. (Analysis of his Evidence—Session 1871.)—Opinion that for political reasons some modification of the existing tests at Oxford is desirable, 645-647. 779-781——Advantages to be derived from a substitution of the Nicene Creed for the Thirty-nine Articles, as a test for all members of convocation, 648-651. 658-660——Very small section of the residents at Oxford with whom the tests have no efficacy, 652-657.

Expediency of retaining the present test for the Divinity professorships, 661——Suggestion that lay teachers and lecturers in colleges be required to make a certain declaration, proposed by Sir Roundell Palmer, 662-664——Numerous and large endowments attached since the Reformation to particular colleges at Oxford, there being a special claim in these cases that a declaration be made of conformity to the Church of England, 665-669.

Value of the tests in correcting and restraining intellectual excess, though they have failed to some extent in promoting unity of faith and teaching, 670-676——Way in which an entire abolition of tests would have a specially injurious effect upon the smaller colleges, 677, 678——Injury to the cause of Christian teaching by the possession of advowsons by the colleges, 678, 679——Statement as to there being four sets of divinity lectures at Christ Church, 680.

Recommendation that a clause be added to the Bill distinctly stating that there shall be certain provisions for religious teaching, 681-685——Several Roman Catholics and Nonconformists at Christ Church at different times, their attendance at divinity lectures and at chapel being excused, 686-688. 788——Much greater laxity of chapel discipline than in former years; different practice of different colleges as to attendance at chapel, 689-694. 786, 787.

Examination relative to, and in strong disapproval of, the restricted and one-sided study of philosophy in the final classical school at Oxford, the result being, not infrequently, infidelity, 695-702. 706. 711-726. 748-762. 816——Evidence favourable to the division of the final classical school into three distinct schools, so that philosophy, history, and philology may each be thoroughly studied in a separate school, 697-700. 714. 758, 759——Considerable influence of individual examiners upon the reading of the students for honours, 701, 702.

Importance attached to a clause providing for religious teaching in every college in accordance with the doctrines of the Church of England, 703-710——Probability of its being impossible to retain tests in the case of the professors of history, or moral or metaphysical science, 708. 782, 783——Evil consequent upon the increased disjunction of moral philosophy as now taught from religious opinion, 722, 723.

Conclusion as to the religious value of the service in the college chapels, it being very objectionable to repeal the provision that the service be that of the Church of England, 727-732——Statement as to the tests not having interfered with the injurious teaching of philosophy by private tutors; importance, however, of tests in the case of college tutors, 733-736. 742-745. 763, 764. 782-785——Benefit anticipated from the gradual disappearance of private tutors or coachers, 736. 784, 785——Admission as to there being some abuse in the taking of tests by individuals; this should not cause a total abolition of tests, 737, 738. 812.

Very little value attached to Clause 4 of the Bill; much better safeguard by means of a somewhat different clause in the Bill of 1869; 739, 740. 746, 747. 803——Advantage of a safeguard in the shape of a *declaration by lecturers that they will not teach any-*

Reports, 1870, 1871—*continued.*

Liddon, The Rev. Henry Parry, D.D. (Analysis of his Evidence—Sess. 1871)—*continued.*

thing contrary to the Church of England, 765-768——Importance of retaining, if possible, the test for heads of colleges, even though the other tests were removed, 769, 770. 777, 778——Opinion that under the Bill the best thing for the colleges to do as regards their ecclesiastical patronage, would be to sell it, 771.

Opinion that if tests cannot be retained for all the colleges, the post-Reformation colleges should be placed in a separate category, so that the denominational and undenominational systems may both be maintained, 772-776——Statement as to the question under consideration being in reality a parent's question, whereas parents are not sufficiently considered in the Bill, 783. 829, 830——Different feelings by which different classes at the universities are actuated in desiring an abolition or modification of tests, 789-792.

Probability of some professors and lecturers, if no longer restricted by tests, not hesitating to teach anti-Christian doctrines, 793-796——Believe that at Oxford it is still a minority which is in favour of the abolition of tests, 797-799——Less objection likely to be made to the tests proposed by witness than to the present tests, 800-802. 805-807——Conclusion that the real question at issue is between Christianity and non-Christianity, and not between Church and Dissent, 802——Admission that the Bill is not without some security for the religious character of the university, 804.

Much less evil of the conventional imposition of tests than of the unrestrained speculation likely to follow upon their total abolition, 808-812——Very few instances at Oxford of men being debarred from the enjoyment of emoluments through conscientious objection to take the tests, 813——Explanation that witness would view the Bill very differently if it had the effect only of facilitating the introduction of Nonconformists to the university, 814, 815.

Urgent need of an improved management of the department of philosophy at Oxford; this may safely be left to the university to effect, 816. 831——Contemplated modification of tests, so that all reasonable objections may be met, whilst security is retained for the religious character of the teaching, 818, 819——Distinction desirable as regards fellowships, which should be divided into tutor fellowships, student fellowships, and prize fellowships, 820-828——Special importance of insisting on a test in the case of tutor fellowships, 827.

Lightfoot, Professor Joseph B. (Analysis of his Evidence—Session 1870.)—Has been Hulsean Professor of Divinity at Cambridge for nearly nine years; was previously a tutor of Trinity, 834-837——In consequence of the change of opinion within and without the university on the question of tests, has modified his views on the subject, and now considers that some change is expedient in the direction of the Bill, 838-840. 889-899. 922-925. 1071-1090——Submits, however, that some guarantees may be provided for securing the maintenance of religious worship and education more effectually than is proposed by the Bill, 841 *et seq.*

Non-objection to the admission of Nonconformists to the honours and emoluments of the university, provided there be a security for religious education, 844——Difficulties in the way of any new tests for fellowships, the present tests being abolished, 846. 987-999. 1045-1053——Suggestion that the heads of colleges be omitted from the Bill; examination in detail as to the several reasons for this proposal, 847-863. 931-935. 1041-1044. 1063-1065——Great importance of security for the maintenance of the Church of England service in the existing college chapels, 849-852. 860, 861. 1070.

Evidence on the subject of the appointment to college livings, as resting with the master and fellows, or with the master and senior fellows; conclusion as to the expediency, on this score, of the head of the college and a majority of the fellows being members of the Church of England, 849. 853-863. 960-969. 1101-1104——Practice in Trinity for the master and eight senior fellows to appoint the college tutors; appointment formerly by the master only, 864. 970-972——Question considered whether, if tests be abolished, there will not be danger of a majority of the eight senior follows of Trinity being Nonconformists or persons hostile to the Church of England, 865-889.

Admission as to the danger attending the changes proposed by the Bill, there being, however, danger in attempting to maintain the present state of things, 889-899. 922-930. 969——Wise concession by giving to Nonconformists and others free access to honours and emoluments, 890-894——Lapse of many years before a removal of tests could seriously affect the constitution of the seniority of Trinity, 899-901——Checks upon a Nonconformist or anti-Christian majority of senior fellows overthrowing all security for religious education, 902-908.

Improbability of the free admission of Nonconformists interfering with the working of the university examinations, 909-912——Provision in the statutes of Trinity College as to the election of fellows, having reference to "religion, learning, and education;" difficulty as to exacting the first-named qualification, 913-916. 1098-1100——Examination for fellowships for Trinity, and election of fellows, by the master and eight seniors, 917-921——Evil of the test for fellowships in causing the rejection of men of high intellectual qualifications,

Reports, 1870, 1871—*continued.*

Lightfoot, Professor Joseph B. (Analysis of his Evidence—Session 1871)—*continued.*

qualifications, 923–924——Evil, also, in the occasional resignation of fellowships on conscientious grounds, 924. 1000–1003.

Advantage, if it were possible, of still retaining some religious test for college tutors; difficulties in the way, 925–930——Educational influence of the private tutors, who are unrestricted by tests, 930—— Expectation that in every college there will be no lack of Church of England members for upholding the chapel services, 936, 937——Obstacle to any restriction in the single case of the Professor of Moral Philosophy; degree of security against improper appointment, in the absence of a test, 938–941. 1021–1029. 1110–1122.

Indirect authority of the *Sex Viri* to interfere in cases of heretical teaching, 942–945——Minority of residents in favour of a power of removal for anti-Christian teaching, 946, 947——Doubt as to there being any strong feeling among undergraduates in favour of throwing open the fellowships, 948, 949—— Impression as to Nonconformist undergraduates being an increasing body at Cambridge, 950, 951. 967——View of some fellows that post-Reformation foundations should have a distinct treatment; witness is disposed to concur in this view, 952, 953.

Explanation that witness is no alarmist with reference to the accession of Nonconformists, and considers there is more danger from the admission of anti-Christians, 954–969—— Opportunity, by an alteration of the statutes of Trinity, for preventing the action of a majority of the senior fellows in a sense contrary to the Church of England, 970–977. 1016——Belief that much religious influence is now exercised over the undergraduates, 978–982. 994–998. 1004–1007——Advantage on the whole, of attendance at chapel being compulsory, 980. 1008–1010——Great improbability of the Bible ceasing to be a book in which examinations will take place, 983–986.

Objection to the declaration or negative test proposed by Sir Roundell Palmer, 987–989——Doubt as to any form of test being possible which should be an effectual check upon sceptical opinions, whilst not checking the various forms of Dissent, 990–999——Majority in Trinity College in favour of the Bill or some measure like it, 1011, 1012. 1124——Impression that the majority of the university are against the Bill, but there has been much change of opinion on the subject, 1011–1015. 1123——Rule in Trinity as to fellows holding offices or resigning their fellowships after a certain time if not in Holy Orders, 1017–1019. 1173–1176.

Doubt as to the Bill leading to a state of religious indifference, or having any great influence upon the conflict of religious opinions, 1030–1036——Further approval, on the ground of expediency, of the principle of abolition, with the exception of headships of colleges, 1037–1044——Separate test imposed upon every fellow of Trinity by college statute, 1045, 1046. 1049——Objection chiefly to the test of the Thirty-nine Articles, 1047, 1048——Difficulty anticipated in enforcing subscription to the Nicene Creed as a test, 1049–1053.

Concurrence in the view that in Trinity and other colleges the reasonable demands of Nonconformists would be met by admitting them to fellowships, short of those involving trusts, 1055–1062——Doubt as to the necessity of specially requiring that the Vice Chancellor shall be a member of the Church of England, 1066——Approval of some security as to the Board of Theological Studies consisting of members of the Church of England, 1067——Difficulty of providing that members only of the Church of England shall appoint the Regius Professor of Divinity and the Regius Professors of Hebrew and Greek, 1068.

Expediency of the governing body of each college being entrusted with the duty of shortening the chapel services, 1069. 1177–1181——Conclusion further that the evils now produced by the exclusive effect of tests are greater than those which may result from the Bill, 1071–1090. 1133–1143. 1167, 1168——Doubt as to the Bill necessarily leading to an abolition of clerical fellowships, 1090–1094——Advantage of heads of colleges being appointed by the Crown, as in the case of Trinity, 1095–1097——Further evidence opposed to the retention of tests for professors generally, other than Divinity professors, 1105–1122.

Very objectionable agitation if it were left to the colleges to decide for themselves the question of tests, 1125, 1126——Minimum of university test now required at Cambridge, so that any alteration must be in the shape of abolition rather than relaxation, 1127–1132——Conclusion as regards the influence upon the minds of undergraduates, that the tests are not on the whole desirable, 1133–1143——Contemplated continuance, under the Bill, of the requirement as to Divinity instruction for a degree, 1144, 1145.

Expectation that the Bill will show its effect chiefly in the smaller colleges, 1146–1153——Grounds for concluding that a Roman Catholic majority in any college is very improbable for a long time to come, 1153–1160——Estimate of somewhat less than half the fellows of the Cambridge colleges as non-resident, 1161, 1162——Opinion that non-resident fellowships, though useful in some respects, withdraw too much of the college endowments from directly educational purposes, 1163–1166. 1175.

Reports, 1870, 1871—*continued.*

Lightfoot, Professor Joseph B. (Analysis of his Evidence—Session 1871)—*continued.*

Irritation by keeping the question of tests open; approval, therefore, of much concession for a settlement of the question, 1167, 1168——Safeguard by a reservation of headships of colleges, 1169——Further safeguard, if it were possible to preserve for the religious purposes of each college such a portion of the revenues as is at present devoted to such purposes, 1169——Additional safeguard by reserving the chapels for the Church of England service, 1170-1172——Doubt as to the necessity of any further restriction at Cambridge before alteration of the college statutes, 1182-1184.

Litigation. Question whether under the Bill ligitation might not arise if a fellow were passed over for a tutorship for which he was senior in succession, *Rolleston* (1870) 1231-1236. 1255-1259. 1290-1294. 1316-1323.

Liturgy. Statement as to the test of admission to all university offices at Cambridge and to fellowships, being that of conformity to the Liturgy of the Church of England, *Perowne* (1870) 489-496——Approval of a declaration of conformity to the Liturgy of the Church of England, this not excluding Dissenters, *ib.* 734-739——Necessity of all professors and readers at Cambridge subscribing a declaration of conformity to the Liturgy of the Church of England, *Waraker* (1871) 2171-2175.

See also *Abolition or Relaxation of Tests.*

London University. Explanation in regard to the non-recognition of the religious element at the University of London, *Angus* (1871) 1409-1411.

M.

Mansel, The Very Rev. Henry Longueville, D.D. (Analysis of his Evidence—Session 1871.)—Approval of some system of safeguards beyond what is proposed in the Bill, if the present system cannot be retained, 832——Opinion that in the case of membership of convocation, and of the M.A. degree, the tests may be abandoned, and a declaration substituted, to the effect that the declarant will not use his influence to the detriment of the Church of England, 833-835. 857. 901-905——Expediency of the tests being retained for Divinity degrees and professorships, 836, 837. 868.

Grounds for objecting to a proposal that there should be at Oxford a separate faculty of Divinity for each branch of Christianity, 838-840——Responsibility of individuals, rather than of the University rules or system, for the loosening of religious belief at Oxford in recent years, 840, 841. 873-875——Approval of a certain Parliamentary declaration, as proposed by Sir Roundell Palmer, in the case of professors generally, other than Divinity professors, 842-844. 869. 901.

Great influence of college tutors with their pupils, it being very essential in their case that the test should involve a declaration of conformity to the Liturgy of the Church of England, 845-851. 870. 901, 902——Importance of the present test being retained in the case of heads of colleges, their religious influence being very great, 852-855. 872.

Proposed division of fellowships into two classes, tests being dispensed with in the case of sinecure or non-resident fellows, 856-864. 871——Suggestion that sinecure fellowships be terminable after ten years, the prohibition upon marriage being withdrawn, 857-859——Disadvantage in non-resident fellows interfering as regards discipline and education, 860-863——Proposal that resident fellowships, to which duties are attached, be held for life under certain conditions, and that there should be a test involving a declaration of conformity to the Liturgy of the Church of England, 865, 866.

Valuable effect of tests in restraining individual teaching adverse to Christianity, 873-878. 900——Statement as to the question at issue being very much a parents' question, whereas the opinion of parents throughout the country has never yet been fairly taken, 879. 885—— Grounds for the conclusion that a majority of the residents and non-residents of Oxford University are not favourable to the Bill; petitions hereon submitted, 880-883. 938.

Expediency of considering the interests of the young men who come to the university, rather than the feelings or interests of individual teachers, 886-888——Absence of inclination to exclude men, who have taken good degrees, from honours and emoluments, 887——Views of the Provost of Oriel adverted to as coinciding very much with the suggestions made by witness; reference hereon to a certain pamphlet reccently published by the former, 888, 889.

Strong objection to the proposal in the Bill for repealing the thirteenth section of the Act of Uniformity; importance, on the other hand, of some direct proviso as to the service of the Church of England being celebrated in the college chapels, 889-894.

Further statement on the subject of the study of philosophy in the final classical school at Oxford, and the extent of evil which has arisen therefrom in recent years as regards religious belief, 895-900——Grounds for the conclusion that if proper means were

Reports, 1870, 1871—*continued.*

Mansel, The Very Rev. Henry Longueville, D.D. (Analysis of his Evidence—Sess. 1871)—*cont^d.*
were adopted for eliciting the opinion of parents a very strong and widespread objection would be obtained against the Bill, 906-916——Reference to a paper drawn up at Cambridge, showing that the operation of the Bill will be to destroy the Christian character and teaching of the universities and colleges, 916-920.

Considerable influence of private tutors over their pupils, this influence being exercised in various ways besides at lectures, 921-928——Opinion as to the greater efficiency of a test than of a penal enactment, 929-934——Doubt as to the value of a conscience clause, whereby young men or their parents might object to any lecture, so that the former need not attend, 935-937.

Mathematics. Tendency of a study of mathematics to lessen the desire for study of metaphysics or philosophy, *Appleton* (1871) 562——Tendency of a study of mathematics to counterbalance the uncertainty of metaphysical science, *Bateson* (1871) 2912.

Matriculation (Cambridge). Benefit at Cambridge in so far as there is no test upon matriculation, *Hartog* (1871) 1269-1271.

Merton College (Oxford). Disadvantage experienced in the case of Merton College by reason of the clerical fellowships, *Roundell* (1871) 1544-1548.

Metaphysics. Absence of any disturbance of religious opinion at Cambridge by reason of the increase of metaphysical study, *Bateson* (1871) 2908-2912.

Modern History Facilities of the Professor of Modern History at Cambridge, if not restrained by a test, for propounding objectionable religious views, *Perowne* (1870), 510-518——Importance of the Professor of Modern History being a member of the Church of England, *ib.* 614-616.

Moral Philosophy. Character of the examination at Oxford in moral philosophy for honours, and of the books used, *Chase* (1870), 19-28——Extent to which moral philosophy or moral science forms part of the study for degrees or honours at Cambridge, *Perowne* (1870) 439-443——Obstacle to any restriction in the single case of the Professor of Moral Philosophy; degree of security against improper appointment, in absence of a test, *Lightfoot* (1870) 938-941. 1021-1029. 1110-1122——Possibility under the Bill, of the Moral Theological Professorship at Cambridge being held by a layman, not a member of the Church of England, *Cookson* (1871) 319-322——Conduct of the examinations at Oxford in moral philosophy, without imparting any religious opinions, *Appleton* (1871) 548-552——Evil consequent upon the increased disjunction of moral philosophy, as now taught at Oxford, from religious opinion, *Liddon* (1871) 722, 723——Urgent need of an improved management of the department of philosophy at Oxford; this may safely be left to the university to effect, *ib.* 816. 831.

Morality. Beneficial effect anticipated as regards morality, by an influx of Dissenters coming from more frugal houses, *Roundell* (1871) 1531, 1532.

Apprehension that, religious influence being no longer secured, it would be very difficult to enforce doctrines of morality, *Atkinson* (1871) 2927, 2928. 2976, 2977.

Morley, Samuel, M.P. Concurrence in the opinion of Mr. Morley, that where there is a specific trust it should be held sacred, *Reed* (1871) 2742-2744.

N.

National Institutions. Question as to the right of each party or section of the nation to a share in the universities, upon the supposition of their being national property, *Perowne* (1870) 531-535——Exception taken to the view that the universities are national institutions, save as regards the national church, *ib.* 608-613.

Argument of the Nonconformists that the universities and colleges, as being national institutions, should be open freely to the entire nation, without the restriction of religious tests, *Reed* (1871) 2517 *et seq.*——Examination as to witness's grounds for the conclusion that not only the universities but the colleges are national institutions, *ib.* 2524-2543. 2579-2583. 2745-2753.

Distinction between the universities and colleges, as being national institutions, and the voluntary institutions or the colleges of the Nonconformists, upon the question of the teachers and governors being restricted in religious matters, *Raleigh* (1871) 3239-3245. 3274-3278. 3286-3293.

See also *Endowments.*

Neate, Charles. (Analysis of his Evidence—Session 1871).—Approval of the Bill as far as it repeals the tests, as the condition of any lay degree or lay professorship at Oxford, 1140——Reasons for also agreeing with the Bill so far as it repeals the provisions of the Act of Uniformity requiring subscription, *ib.*——Effect of the Bill to necessitate important changes in the statutes of the university, chiefly as regards its ecclesiastical privileges; opinion that on this score a commission should be appointed, 1140, 1141. 1176-1182.

Reports, 1870, 1871 —*continued.*

Neate, Charles. (Analysis of his Evidence—Session 1871)—*continued.*

Suggestion whether the university might not still retain the power of restraining its professors from openly teaching anything contrary to the Christian religion or to the doctrines of the Church of England, 1141, 1142——Question for consideration as to the power of appointment of select preachers, 1143——Conclusion as to the want of a commission, appointed by the Legislature, with a view to bringing the statutes of the colleges into harmony with the Bill, 1143–1145.

Important effect of the Bill as to the foundations and endowments of the colleges, the previous appointment of a commission being very desirable before compulsory legislation takes place, 1143–1145. 1176–1182——Different ways in which a large portion of the endowments of the colleges might be applied out of Oxford, 1144, 1145——Necessity, if the Bill be passed, of reconsidering the visitorial power, and the question of who shall be visitors, 1145–1147.

Evidence in support of the view that the powers of the congregation, or of the residents, at Oxford require to be restrained, and that increased powers and control should be given to convocation, 1147–1170. 1186–1188. 1215–1220——Suggestion for vesting the appointment of heads of colleges in a board, instead of in the fellows, 1147. 1163. 1188——Approval of the Bill as tending to allay religious animosity and to soften opposition to the Church of England, 1153, 1154. 1169——Proposal that every college be required to appoint a chaplain fellow, so that religious teaching may be secured if tests be abolished, 1155. 1223.

Consideraion of the causes to which may be attributed the unsettlement of belief which exists at Oxford; opinion that the abolition of tests would give no impetus in this direction, 1156–1170. 1189–1191——Objection to the abolition of tests being left to the option of the colleges, 1171–1175——Expectation that the ultimate effect of the Bill will be to reduce the colleges to mere educational establishments, 1179.

Grounds for disapproving of any distinction between pre-Reformation colleges and post-Reformation colleges, 1183, 1184. 1209–1214——Partial distinction which may be drawn between pre-Reformation colleges and those founded in recent years, in which there is a clear knowledge of the intentions of the founders, 1185——Beneficial effect of the control exercised by convocation, 1187——Unduly young men, of whom congregation partly consists, 1188. 1224——Contemplated exercise of control by the Vice Chancellor in the selection of tutors, 1188. 1222——Case of Lady Hewley's Charity adverted to, as showing how denominationalism may be preserved without tests, 1192–1196——Grounds for suggesting that, as regards the election of fellows, the Bill should specify whether preference was or was not to be given to members of the Church of England, 1196–1208——Expected dissatisfaction if fellowships were not to convey eligibility to the government of a college or to education in the college, 1221.

Negative Test. *See Declaration.*

New College (*Congregationalists.*) Information relative to the endowments, constitution, and government of New College, which is connected with the Congregationalists; religious examination on entry to the college, *Reed* (1871) 2554–2571.

New Colleges (*Oxford and Cambridge.*)—Doubt as to its being open to Roman Catholics or Dissenters to establish new colleges at Oxford and Cambridge, and at the same time to bring them into connection with the university, *Perowne* (1870) 800–804.

Newman, Dr. Witness would not have removed Dr. Newman from any office of trust in the university when he joined the Church of Rome, *Jowett* (1871) 3219–3221——Opinion that Dr. Newman should not have been left in any authorative position after his secession, *Raleigh* (1871) 3238, 3239.

Nicene Creed. Difficulty anticipated in enforcing subscription to the Nicene Creed as a test, *Lightfoot* (1870) 1049–1053——Advantages to be derived from a substitution of the Nicene Creed for the Thirty-nine Articles, as a test for all members of convocation, *Liddon* (1871) 648–651. 658–660——This change would admit a much larger circle of Christians, *ib.* 649, 650——Inadequacy of the Nicene Creed as the test for college tutors, *Mansell* (1871) 848.

Nonconformists. *See Dissenters.*

Non-Resident Fellows. *See Abolition or Relaxation of Tests, 5.* *Fellowships.*

Norrisian Professorship. Necessity of the present test in the case of the Norrisian Professor of Divinity at Cambridge, *Perowne* (1870) 704–708——Circumstance of its being possible under the Bill that the Norrisian and the Hulsean Professors at Cambridge might not be members of the Church of England, nor be in Holy Orders, *Cookson* (1871) 308–316. 323—— Expediency of safeguards for securing that the Hulsean and Norrisian professors, as well as other professors and lecturers, are members of the Church of England, *Stokes* (1871) 370–374. 416–423.—— *See* also *Divinity Professors.*

Reports, 1870, 1871—*continued.*

O.

Optional Tests. See *Colleges.*

Oriel College (Oxford). Practice in the election of fellows at Oriel not to take the religious belief into consideration, but to elect with direct reference to intellectual qualifications, *Chase* (1870) 79-90——Diminution in the number of clerical fellowships at Oriel, *ib.* 119——Arrangement at Oriel College for maintaining a certain number of clerical fellowships, *ib.* 267-269.

P.

Palmer, Sir Roundell. See *Declaration (Negative Test).*

Parents. Alarm of parents respecting the Bill, witness fully sharing in the feeling. *Perowne* (1870), 823-825——Opinion that some substitute for tests is required for the security of parents; security in the case of public schools adverted to hereon, *Rolleston* (1870) 1195-1198. 1262. 1314——Tendency of the Bill to discourage parents from sending their children to colleges at the universities, *ib.* 1198. 1241, 1242——Importance attached to the views of persons who send their children to the universities, *Scott* (1871) 179-185.

Inaccuracy of the view of parents that the tests are a means of securing certain religious influences for their sons at the universities, *Appleton* (1871) 597. 600.

Statement as to the question under consideration being in reality a parents' question, whereas parents are not sufficiently considered in the Bill, *Liddon* (1871) 783. 829, 830——Conclusion as to the question at issue being very much a parents' question, whereas the opinion of parents throughout the country has never yet been fairly taken, *Mansel* (1871) 879. 885——Grounds for the conclusion that if proper means were adopted for eliciting the opinion of parents a very strong and wide-spread objection would be obtained against the Bill, *ib.* 906-916.

Probability of parents objecting to unrestricted teaching by persons of whose religious opinions they disapproved, *Hartog* (1871) 1252, 1253——Conclusion that the religious teaching in any college is not likely to be so relaxed that parents would object to sending their sons there, *Roundell* (1871) 1554-1556.

Grievance on the part of parents if, by a renewal of tests, injury be done to the students in a religious sense, *Woollcombe* (1871) 1996-1998——Probability of parents not allowing their sons to go into residence at Cambridge, if all religious security were withdrawn, *Athinson* (1871) 2935-2937. 2983-2985.

Expectation that in the absence of tests the colleges will remain in very much the same state as at present, and that parents will not be alarmed about sending their sons to the universities, *Jowett* (1871) 3040. 3117, 3118.

Probability of parents looking for other than literary qualifications in the persons having charge of their sons' religious education, *Raleigh* (1871) 3267-3273.

See also *Public Opinion.*

Penal Enactment. Opinion as to the greater efficiency of a test than of a penal enactment, *Mansel* (1871) 929-934.

Permissive Tests. See *Colleges.*

Perowne, The Rev. E. H. (Analysis of his Evidence—Session 1870.)—Is a fellow and tutor of Corpus Christi College, Cambridge; has from the first opposed the movement for the abolition of tests, 421-423——Mischief apprehended as regards the nomination of the Regius Professor of Divinity at Cambridge, if, by the removal of tests, the council of the senate were composed of persons of different creeds or of no creed at all, 424——Probability of much complication and strife if Dissenters should have a vote upon all questions which come before the senate, 424, 425.

Statement showing the extent to which divinity or theology forms part of the previous examination, and of the general examination at Cambridge, 426-430. 476——Necessity of all students, including Jews, passing the previous examination, which involves a paper upon the evidences of Christianity; there has been no agitation on this score, 431-433. 476-479——Arrangement of the examinations by the senate, through the board of classical studies, 434, 435——Election of the different professors by a variety of boards, 436-438.

Extent to which moral philosophy or moral science forms part of the study for degrees or honours, 439-443——Opportunity of the professors in other subjects than theology for strengthening or weakening the students' belief in Christianity; witness is not aware of any abuse in this respect, 444-450——Limited extent to which the professional lectures in the university influence the course of opinion, 451, 452.

Reports, 1870, 1871—*continued.*

Perowne, The Rev. E. H. (Analysis of his Evidence—Session 1870)—*continued.*

Powers of the heads of colleges at Cambridge as to the appointment and removal of college tutors, 453–461. 464, 465——Supervision of the master of the college over the character of the tutors' lectures, 462–465——Less divergence of religious opinions and less controversy at Cambridge than at Oxford, 466–469——Opportunities of the college tutors for influencing the students in a religious sense, especially in the smaller colleges, 470–475.

Inability of witness to suggest any satisfactory test or security for religious instruction, in lieu of the present test, 480–482——Exception taken to a proposal for exempting some fellowships from tests, witness regarding all fellowships as offices of trust and responsibility, 483–486——Power of the master and fellows of witness's college to call a non-resident fellow into residence, 487, 488——Varying proportion of resident and of non-resident fellows in different colleges, 488.

(Second Examination.) Statement as to the test of admission to all university offices at Cambridge, and to fellowships, being that of conformity to the Liturgy of the Church of England, 489–496——Necessity of a new mode of appointment of theological professors if tests be abolished, 497–504——Expected complaint by Dissenters if persons admitted to the membership of the senate could not get the higher university offices without a test, 505–506.

Right of private tutors to take pupils, without being affected by the question of tests, 507–509——Facilities of the professor of modern history, if not restrained by a test, for propounding objectionable religious views, 510–518——Possibility of the religious element being introduced in the classical tripos studies, 519–521——Probability of religious bias and party-feeling entering into the election of fellows if the system of tests were entirely done away with, 522–530.

Question as to the right of each party or section of the nation to a share in the universities upon the supposition of their being national property, 531–535——Injurious effect likely to arise from the plan of university fellowships proposed by Mr. Chase, 536——Objection to some colleges having tests, and others not having them, 537——Belief as to all dissenting colleges having tests, 537. 550–553——Very limited extent to which Dissenters now excluded would be admitted to fellowships, if there were no tests, 538–540.

Statement as to all prizes and scholarships at Cambridge, except the Bell scholarships, being open to undergraduates without tests, 542–547——Approval, if it be practicable, of the plan for establishing certain prizes, without tests, provided no duties be attached to such prizes, 548, 549——Conclusion as to a certain test being required in the case of each student at the Baptist College, Regent's Park, 551, 552——Circumstance of the statutes of witness's college not providing that the election of the fellows is to have reference to their superiority, expressly as regards "religion," 554–556.

Decided majority of the residents at Cambridge opposed to the Bill, 557. 670–672 Influential minority in favour of a relaxation of tests, 557, 558——Opinion that the Bill itself is not in accordance with the preamble, and provides no safeguards at all, 559–564. 669. 744, 745——Mischievous effect of an abolition of tests as tending to cause candidates for holy orders to be sent to theological colleges apart from the universities, 565–572. 661–665——Unfairness of removing tests at Downing and other modern colleges unless they be removed also at Baptist and other Nonconformist colleges, 573–578.

Analogy between the position of the head and fellows of a college in regard to the undergraduates and the position of a clergyman in regard to his parishioners, 579–582 ——Conclusion as to the universities being places of education instead of mere instruction, and as to the vital importance of such education not being dissociated from religion, 583–593——Varying proportion of clerical fellowships in the different colleges at Cambridge, these being liable to reduction at any time by an alteration of the college statutes, 594–600.

Residence of ten out of twelve fellows of witness's college, 601, 602——Doubt whether even in the larger colleges, such as King's, it would be well to throw open a portion of the fellowships, such fellows not to engage in the work of teaching at the university, 603–607——Exception taken to the view that the universities are national institutions, save as regards the national church, 608–613——Importance of the professor of modern history being a member of the church, 614–616.

Strong objection to the proposed removal of the present security for the maintenance of the Church of England service in the college chapels, 617–619——Inadequate security, if the Bill be passed, against the election of a Roman Catholic as head of a college, 620–626——Objection to the Bill with reference specially to the election of the Hebrew and Greek Regius professors, 627–629——Absence of security under the Bill in regard to the appointment of the board of theological studies, 631, 632——Difficulty also in connection with the appointment of the Hulsean professorship of divinity, 633.

Very responsible position of the Vice Chancellor as regards appointments, it being highly

Reports, 1870, 1871—*continued.*

Perowne, The Rev. E. H. (Analysis of his Evidence—Session 1870)—*continued.*

highly inexpedient to discontinue the security of his being a member of the Church of England, 634-639——Exceptional instances of the fellows or tutors of colleges not being selected from the members of the colleges, 640-644——Intellectual influence exercised by private tutors over their pupils, 645-647.

Difficulty if the court by which discipline is enforced were composed of men of different religious creeds, 649——Possible difficulty also in dealing with heterodoxy if the court in such cases had not been liable to tests, *ib.*——Ill-effect anticipated from the removal of the restraint upon anti-Scriptural teaching by professors of geology, &c. 650, 651——Very limited extent to which the University of Cambridge receives any aid from the State; large vote received by the London University and the University of Glasgow, 652-654. 679.

Important function of the university in maintaining discipline among the residents, 655-657——Expectation that not merely fellowships but tutorships and the office of dean would pass out of the hands of members of the Church of England if tests were dispensed with, 658, 659——Exceedingly rare instances of Dissenters or others being excluded from fellowships by the tests; very little ground for complaints of hardship on this score, 660. 740-742. 805-809——Absence of difficulty as regards the attendance of students at chapel, 666——Admission of many Dissenters to witness's college, 667——Cause of the comparative exemption of Cambridge from extreme religious movement, 668.

Approval of any change being compulsory instead of being left to the colleges, 673-675. 773——Statement as to the question of tests not being exclusively a Dissenters' question, 676-679——Serious evil apprehended if the heads of colleges be not, necessarily, members of the Church of England, 680-688——Probable change in the whole course of theological study by a removal of tests, 689-691——Liability of colleges to fall into the hands of a majority of Dissenters or of Roman Catholics; results being produced for which the country is altogether unprepared, 692-701. 810-815——Improbability of Roman Catholic instruction being established in any college, 697. 725, 726.

Importance of the present safeguard as to the Regius Professor of Divinity at Cambridge being a member of the Church of England, 702, 703——Necessity also of the present test in the case of the Norrisian Professor of Divinity and the Hulsean professor, 704-708——Inability of witness to make any suggestion as to the election of the board of theological studies; injurious effect of the Bill hereon further adverted to, 709. 784-788.

Belief as to its being open to the governing body of a college to alter or abbreviate the chapel service, 710-716——Advantage of heads of houses being in holy orders, 717-719——Very slight additional security at Cambridge if alteration of the college statutes required in all cases the consent of the visitors, 720-722. 753-759——Grounds for objecting to a limitation of the tenure of lay fellowships, 723, 724.

Further statement as to witness being unable to suggest any efficient safeguard in lieu of tests, 731-743. 765-767. 777——Approval of a declaration of conformity to the Liturgy of the Church of England, this not excluding Dissenters, 734-739——Distinction doubtless between Dissenting colleges for the ministry and colleges intended for general education, 746, 747——Importance attached to the clause in the Bill maintaining the existence of clerical fellowships, 748-752——Limited effect of the Bill as regards the heads of colleges at Cambridge, it not applying to those in holy orders; there is no sufficient safeguard, however, for the heads remaining members of the Church of England, 760-763. 780.

Great improvement if the clause in the Act of Uniformity were retained which provides for the maintenance of the chapel services, 764. 774-776——Apprehension not only that some colleges might fall into the hands of particular sects, but that a party of infidelity might rise up, 768-772——Feeling at Cambridge as to the probable passing of some such Bill as the present, it being considered by many that the Bill could not be worse, 778-780——Difficulty, amounting almost to impossibility, in having any effectual religious teaching if the governing body be composed of persons of different creeds, 789-799. 804——Doubt as to its being open to Roman Catholics or Dissenters to establish new colleges at Oxford and Cambridge, and at the same time to bring them into connection with the university, 800-804.

Exception taken to the system of theological instruction in foreign universities as not being applicable to this country, 816-820——Explanation of witness's reasons for preferring a compulsory Parliamentary measure to a measure relegating action to the different colleges, 821-823——Alarm of parents respecting the Bill, witness fully sharing in the feeling, 823-825——Apprehension that the influences of the Church of England at Cambridge would be greatly weakened by the Bill, and would be powerless to prevent irreligious teaching, 826-831——Conclusion, as regards the exclusion of some senior wranglers from fellowships, that any hardship thereby is small as compared with the evil of an abolition of tests, 832, 833.

Reports, 1870, 1871—*continued.*

Petitions (*Oxford and Cambridge*). See *Abolition or Relaxation of Tests*, 5.

Philosophy. See *Final Classical School* (*Oxford*). *Moral Philosophy.*

POST-REFORMATION COLLEGES:

View of some fellows at Cambridge that post-Reformation foundations should have a distinct treatment; witness is disposed to concur in this view, *Lightfoot* (1870) 952, 953——Opinion favourable to a distinction between endowments dating from before the Reformation and those of modern date, *Scott* (1871) 119-125——Doubt as to the expediency of a distinction between pre-Reformation and post-Reformation endowments with reference to denominational education or fellowships, *Cookson* (1871) 294, 295.

Numerous and large endowments attached since the Reformation to particular colleges at Oxford, there being a special claim in these cases that a declaration be made of conformity to the Church of England, *Liddon* (1871) 665-669——Approval of a distinction with reference to the dates of the college endowments, it being preferable that some colleges should be denominational rather than they should all be thrown open, *Liddon* (1871) 772-776; *Athinson* (1871) 2993-2997.

Decided objection to any distinction by the Bill between pre-Reformation and post-Reformation colleges at Cambridge, *Thompson* (1871) 1119-1121——Grounds for disapproving of any distinction between pre-Reformation colleges and post-Reformation colleges, *Neate* (1871) 1183, 1184. 1209-1214——Partial distinction which may be drawn between pre-Reformation colleges and those founded in recent years, in which there is a clear knowledge of the intentions of the founders, *ib.* 1185.

Admission that there appears to be no injustice in retaining the clerical fellowships founded for the use of the Protestant Church since the Act of Uniformity, *Angus* (1871) 1351——Opinion that there is no good reason for distinguishing between colleges founded before the Reformation and colleges since that date, so far as common or national education is concerned, *ib.* 1337. 1385.

Difficulty of a general enactment distinguishing between pre-Reformation and post-Reformation endowments with reference to tests; each college should decide for itself, *Campion* (1871) 1897-1910——Injustice of the Bill with reference especially to the post-Reformation endowments, as in the case of Balliol College; claims also of the Church of England to the pre-Reformation endowments, *Woollcombe* (1871) 2084-2086.

Argument that the pre-Reformation and post-Reformation endowments were equally made in favour of the Church of England, *Waraker* (1871) 2164, 2165——There are three colleges at Cambridge entirely post-Reformation, whilst every college is partly so, *ib.* 2164, 2165——Questionable advantage of a distinct recognition of the right of the Church to the post-Reformation endowments, *ib.* 2166-2168.

Examination to the effect that Church of England colleges founded by private endowments since the Reformation cannot justly be dealt with as national property, irrespectively of the Church, *Allon* (1871) 2496-2503. 2511-2516——Evidence in support of the conclusion that Parliament should deal with religious endowments, as at Oxford and Cambridge, in the interests of the nation, but that endowments of recent date for denominational purposes should be held sacred, *Reed* (1871) 2535-2546. 2674-2676. 2732-2785.

Conclusions adverse to the proposition that a distinct treatment should be observed towards post-Reformation endowments, and that they should be exempted from Parliamentary interference, *Bateson* (1871) 2874-2896——Circumstance of the tests being the creation of Parliament and not of endowments, *ib.* 2884, 2885.

Grounds for objecting to any distinction in the case of post-Reformation colleges, it being moreover inexpedient and impracticable to make some of the colleges denominational and some undenominational, *Jowett* (1871) 3228-3233——Opinion that the State has the most entire right to use post-Reformation endowments for the purposes of higher education, *ib.* 3228——Five-sixths of the endowments at Oxford have come down from a time before the Reformation, *ib.* 3232.

Admission that post-Reformation endowments do not stand in the same category as pre-Reformation endowments, and that some argument exists for a separate representation of denominationalism, *Houghton* (1871) 3393-3400.

See also *Denominational and Undenominational Colleges. Downing College. Durham University.*

Preachers. Question for consideration as to the power of appointment of select preachers, *Neate* (1871) 1143——Practice at Oxford as to the selection of the preachers in the university; mode of constitution of the board by whom they are appointed, *Leighton* (1871) 2357-2367.

Preamble of the Bill. Opinion that the Bill itself is not in accordance with the preamble, and provides no safeguards at all, *Perowne* (1870) 559-564. 669. 744, 745——Importance attached to the preamble of the Bill as indicating that it is the intention of the Legislature to

Reports, 1870, 1871—*continued.*

Preamble of the Bill—continued.

to maintain religious instruction and worship, *Cookson* (1871) 192-194——Exception taken generally to the enacting clauses of the Bill as not coinciding with the preamble, *Waraker* (1871) 2095. 2104. 2134-2138. 2155. 2180——Opinion that the preamble of the Bill is not carried out by the clauses, *Leighton* (1871) 2350.

Presbyterians. Circumstance of no objection having been made to a Presbyterian as Regius Professor of Civil Law at Oxford, and as examiner in the law schools, *Chase* (1870) 381, 382——Statement as to the present tests at Oxford not excluding Presbyterians, *Woollcombe* (1871) 1980. 2071-2074.

Private Halls. Doubt as to the Bill giving much impulse to private halls at the expense of the colleges, *Rolleston* (1870) 1197, 1198.

Private Tutors. Decreasing necessity for, and influence of, private tutors, since the system of combined lectures of tutors of colleges, *Chase* (1870) 294-298——Right of private tutors to take pupils, without being affected by the question of tests, *Perowne* (1870) 507-509——Large influence of private tutors, there being no test or safeguard in their case, *Perowne* (1870) 645-647; *Lightfoot* (1870) 930; *Rolleston* (1870) 1295-1298.

Circumstance of the teaching of private tutors not being fettered by any tests, *Appleton* (1871) 608-612; *Jowett* (1871) 3218——Statement as to the tests not having interfered with the injurious teaching of philosophy by private tutors; importance however of tests in the case of college tutors, *Liddon* (1871) 733-736. 742-745. 763, 764. 782-785——Benefit anticipated from the gradual disappearance of private tutors *ib.* 736. 784, 785.

Considerable influence of private tutors over their pupils, this influence being exercised in various ways besides at lectures, *Mansel* (1871) 921-928——Large influence of the private tutors, these not being bound by any test, and the Bill making no alteration as regards them, *Ince* (1871) 1685. 1687-1690. 1720-1728.

Professors. Non-objection to the Professor of Exegesis at Oxford and the Grinfield Lecturer being elected by any persons calling themselves Christians, except Socinians and Unitarians, *Chase* (1870) 153-161——Election of the different professors at Cambridge by a variety of boards, *Perowne* (1870) 436-438——Limited extent to which the professorial lectures in the University of Cambridge influence the course of opinion, *ib.* 451, 452——Evidence opposed to the retention of tests for professors generally, other than Divinity professors, *Lightfoot* (1870) 1105-1122——Reason for not comprising university professors in the clause proposed by witness, *Rolleston* (1870) 1212.

Grounds for objecting to the tests in the case of professors, whether theological or non-theological, *Appleton* (1871) 577——Probability of its being impossible to retain tests in the case of the professors of history or moral or metaphysical science, *Liddon* (1871) 708. 782, 783——Opinion adverse to any test in case of professors, except Divinity professors, *Campion* (1871) 1945-1949. 1953-1958.

Exceptional instances of professors at Oxford ever using their chairs for the purpose of expressing religious views outside the subjects they are appointed to teach, *Leighton* (1871) 2249-2251——Increased authority of professors if not bound by tests, *Jowett* (1871) 3027. 3070, 3071.

See also *Abolition or Relaxation of Tests. Act of Uniformity. Anti-Religious Teaching. Divinity Professors. Fellowships. Heads of Colleges. Heresy. Hulsean Professor. Modern History. Moral Philosophy. Norrisian Professor. Religious Teaching.*

Public Opinion. Statement that public opinion is not sufficiently informed on the matter at issue, *Chase* (1870) 342, 343. 395——Expediency of abolition or relaxation in view of the public feeling on the subject, *Lightfoot* (1870) 838-840. 889-899. 1071-1090; *Thompson* (1871) 1005-1007; *Bateson* (1871) 2801, 2802——Importance of relying upon an unfettered public opinion rather than upon tests or upon a positive enactment, as regards the religious question, *Rolleston* (1870) 1210-1217. 1250-1254. 1305-1309.

State of public opinion in the University of Oxford and in the colleges adverted to as likely to render useless the insertion of any provisions in the Bill for the protection of religious education, *Scott* (1871) 55-62. 77-82. 172-178. 186——Probable assimilation of public opinion in the different colleges under a system of free election, *ib.* 126——Consideration of the probable effect of public opinion in the country upon that in the colleges and the universities, as regards the question of religious tests, *ib.* 172-185.

Increase of feeling in the University of Cambridge against the taking of tests, *Cookson* (1871) 240-243. 288, 289——Uninformed state of public opinion as to the real question at issue, *Liddon* (1871) 802.

Doubt as to the necessity or advantage of the test as a check upon persons wishing to teach doctrines hostile to the Church of England; important check by means of

Public Opinion—continued.

public opinion in such cases, *Thompson* (1871) 958–965. 1029–1033. 1084, 1085——Feeling among the people in favour of religious education, *Angus* (1871) 1338.

Expectation that in the appointment of divinity professors or religious teachers, public opinion will be a sufficient security against the appointment of persons holding anti-Christian views, *Roundell* (1871) 1430–1432——Further conclusion as to the efficiency of the operation of public opinion as a check upon anti-Christian teaching, *ib.* 1464. 1475.

Effect of impending legislation in influencing public opinion, *Waraker* (1871) 2131. 2137——Tendency of the agitation for removal of tests to increase the public opinion in favour of removal, *ib.* 2197.

Tendency of the governing bodies of the colleges to reflect the general opinion prevalent in the country, *Bateson* (1871) 2808. 2904——Conclusion that the chief safeguard with reference to religion and religious opinion in the universities is to be found in the general religious feeling of the community, *Jowett* (1871) 3022–3047.

Concurrence in the view that the best safeguard is the state of religious opinion in the country at large, *Raleigh* (1871) 3260. 3302——Valuable religious safeguard by means of public opinion, *Stoughton* (1871) 3369–3372. 3389.

Publicity (*College Business*). Objection as to publicity being given to the proceedings of the governing bodies of the different colleges, the public not being now admitted when business is being transacted, *Leighton* (1871) 2368–2373.

Q.

Queen's College (*Cambridge*). Total of fourteen fellowships attached to Queen's College, there being but four resident fellows, and only two of these engaged in college tuition, *Campion* (1871) 1834–1836. 1871–1873——Conditions as to the tenure of fellowships, *ib.* 1846——Practice of the college to select for fellowships from the university examinations, *ib.* 1887–1890——Practice as to enforcing attendance at chapel, if young men habitually stay away, *ib.* 1921–1927. 1933–1941.

R.

Raleigh, The Rev. Alexander, D.D. (Analysis of his Evidence—Session 1871.)—Tendency of university tests to divide social life throughout the country, whilst they are a great hardship to Nonconformists, 3234-3236——Expediency of any test being of the most general kind, and of as little restriction as possible in regard to the religious teaching, 3235–3239——Distinction between the universities and colleges, as being national institutions, and the voluntary institutions or colleges of the Nonconformists, upon the question of the teachers and governors being restricted in religious matters, 3239–3245. 3274–3278. 3286–3293.

Explanation that witness would not banish religious teaching from the universities, but cannot suggest the best methods for securing it, 3245. 3251. 3294–3318——Expediency of the right of State interference with endowments for religious or other purposes, 3247–3250. 3286–3293——Improbability of such a conflict of opinions in colleges, tests being abolished, that religious teaching will no longer be given, 3252–3260——Conclusion that the best safeguard is the state of religious opinion in the country at large, 3260. 3302.

Test applied to the students in Nonconformist colleges; check also in the appointment and dismissal of teachers, 3261–3266——Probability of parents looking for other than literary qualifications in the persons having charge of their sons' religious education, 3267–3273——Approval of all the colleges being undenominational rather than of some being denominational, and some being thrown open, 3279–3285——Expediency of the voluntary system being applied to religious teaching in the universities, in lieu of any system of tests, or of any enactment from without, 3294–3318——Opinion adverse to religious endowments, though there are some amongst the Nonconformists, 3308, 3309——Circumstance of the tests not preventing the admission of Dissenters to the universities, 3319, 3320.

Reed, Charles, M.P. (Analysis of his Evidence—Session 1871.)—Argument of the Nonconformists that the universities and colleges, as being national institutions, should be open freely to the entire nation, without the restriction of religious tests 2517 *et seq.*——Examination as to witness's grounds for the conclusion that not only the universities, but the colleges, are national institutions, 2524–2543. 2579–2583. 2745–2753——Distinction between the colleges and Dissenters' chapels, as regards the question of the latter not being national institutions in the same sense as the former 2535–2545.

Reports, 1870, 1871—*continued.*

Reed, Charles, M.P. (Analysis of his Evidence—Session 1871)—*continued.*

Explanation that it is not proposed to interfere with specific endowments for the strict purpose of the education of the clergy of the Church of England, but only to open to Nonconformists all fellowships and tutorships now open to laymen, 2543-2546. 2550-2552. 2727-2731——Endowments of Nonconformists colleges adverted to as being strictly for the purpose of training men for the ministry, 2547-2549. 2553-2557. 2636——Information relative to the endowments, constitution, and government of New College, which is connected with the Congregationalists; religious examination on entry to the college, 2554-2571.

Objection to any security in the shape of a test for the religious character of the governing body, or of the instruction, in the colleges at Oxford and Cambridge, although witness greatly desires to see religious influence maintained as much as possible, 2572-2588. 2605 *et seq.*——Disapproval of compulsory attendance at the chapel service in the colleges, although it is exceedingly desirable that a daily service should be continued, 2589-2599. 2625, 2626. 2632-2635. 2786-2789——Attendance generally of Nonconformists at the chapel service at Cambridge, though objecting to many parts of it; suggested alteration of the service, 2589, 2590. 2632-2635. 2663-2668. 2788.

Equal importance attached by Dissenters to a removal of university tests as of college tests, 2602-2604——Disapproval of a test in the case of the professors of Divinity, although witness does not object to these being appointed for the purpose of teaching Church of England doctrines, 2605-2616. 2622-2624——Important distinction between the objects of Cheshunt College and of colleges in the universities; objection, however, to the exclusive articles in force in the former college, 2617-2620. 2627-2631.

Examination to the effect that a test is not required in the religious interests, or for the protection of lay students, and that religious training is not now really given at the colleges, 2636-2662——Disapproval of tests, even though their removal may admit Roman Catholics into the governing body of the universities, 2657-2662.

Evidence in support of the conclusion that Parliament should deal with religious endowments, as at Oxford and Cambridge, in the interests of the nation, but that endowments of recent date, for denominational purposes, should be held sacred, 2674-2726. 2732-2785——Discouragement of endowments among Nonconformists; decision in the case of Lady Hewley's bequest adverted to hereon, 2684-2692. 2732-2734——Objection to a system whereby there should be denominational and undenominational colleges in the universities, 2754-2774.

Regent's Park College. See *Baptist College.*

Regius Professor of Divinity. Mischief apprehended as regards the nomination of the Regius Professor of Divinity at Cambridge, if, by the removal of tests, the council of the senate were composed of persons of different creeds, or of no creed at all, *Perowne* (1870) 424——Importance of the present safeguard as to the Regius Professor of Divinity being a member of the Church of England, *ib.* 702, 703——Difficulty of providing that members only of the Church of England shall appoint the Regius Professor of Divinity, and the Regius Professors of Hebrew and Greek, *Lightfoot* (1870) 1068.

Relaxation of Tests. See *Abolition or Relaxation of Tests.*

RELIGIOUS TEACHING:

1. *Extent and Character of the Religious Teaching now given in the Universities and Colleges.*
2. *Divergence of Religious Opinion under the System of Tests.*
3. *Less Divergence of Religious Opinion at Cambridge than at Oxford.*
4. *Requirement of other Religious Safeguards than are provided in the Bill.*
5. *Evil Effects apprehended on the score of Religious Teaching if Tests be Abolished.*
6. *Dissent from the foregoing conclusion.*
7. *Objections generally to Compulsory Religious Regulations.*
8. *Safeguard recommended by the Committee.*

1. *Extent and Character of the Religious Teaching now given in the Universities:*

Considerable influence of the religious instruction given through lectures and in the colleges at Oxford, *Chase* (1870) 222-225——Comparatively little religious influence exercised by the university upon the undergraduates, *ib.* 237, 238. 294-298.

Statement showing the extent to which divinity or theology forms part of the previous examination, and of the general examination at Cambridge, *Perowne* (1870) 426-430. 476——Necessity of all students, including Jews, passing the previous examination, which involves a paper upon the evidence of Christianity; there has been no agitation on this score, *ib.* 431-433. 476-479——Belief that much religious influence is now exercised over the undergraduates at Cambridge, *Lightfoot* (1870) 978-982. 994-998. 1004-1007.

Reports, 1870, 1871—*continued.*

RELIGIOUS TEACHING—continued.

1. *Extent and Character of the Religious Teaching, &c.*—continued.

Report of the Commission of 1852 adverted to as showing that under the operation of tests theological teaching at Oxford has been far from efficient, *Roundell* (1871) 1478–1485——Uselessness of the Article Lecture given in colleges as a means of religious instruction, *ib.* 1541–1543——Much larger amount of religious teaching in some colleges at Oxford than in others, *Ince* (1871) 1744.

Dissent from the statement that there is practically no religious teaching in the colleges at Cambridge; practice in the case of Queen's College adverted to hereon, *Campion* (1871) 1833–1844——Excellent effect, not only of the chapel services, but of the religious education generally, *Woollcombe* (1871) 2068–2070——Examination to the effect that a test is not required in the religious interests, or for the protection of lay students, and that religious training is not now really given at the colleges, *Reed* (1871) 2636–2662.

2. *Divergence of Religious Opinion under the System of Tests:*

Considerable divergence of opinion within the limits of Christianity under the system of tests, *Chase* (1870) 120–126——Instances of the inefficiency of the present tests to exclude persons objectionable on account of their religious opinions, *Cookson* (1871) 237–239——Very small section of the residents at Oxford with whom the tests have no efficacy, *Liddon* (1871) 652–657——Value of the tests in correcting and restraining intellectual excess, though they have failed to some extent in promoting unity of faith and teaching, *ib.* 670–676——Much less evil of the conventional imposition of tests than of the unrestrained speculation likely to follow upon their total abolition, *ib.* 808–812.

Valuable effect of tests in restraining individual teaching adverse to Christianity, *Mansel* (1871) 873–878. 900——Absence of theological differences in the lecture-room at Cambridge; statement hereon as to the power of the college authorities to take action in case any lecturer or tutor abused his position, *Thompson* (1871) 981–989. 1097–1100——Less diversity of religious opinion than if there were no test, *Woollcombe* (1871) 1981–1988.

Question considered as to the effect of tests at Cambridge in investigating controversy and in excluding infidelity, *Waraker* (1871) 2190–2196——The tests hitherto have not excluded religious indifference, *Athinson* (1871) 2972——Failure of tests at Oxford to prevent divergencies of religious opinion, *Jowett* (1871) 3017, 3018.

3. *Less Divergence of Religious Opinion at Cambridge than at Oxford:*

Less divergence of religious opinion, and less controversy at Cambridge than at Oxford, *Perowne* (1870) 466–469——Cause of the comparative exemption of Cambridge from extreme religious movement, *ib.* 668.

4. *Requirement of other Religious Safeguards than are provided in the Bill:*

Conclusion that the Bill provides no effective safeguard for the maintenance of religious teaching in the university, *Chase* (1870) 231——Inability of witness to suggest any satisfactory test or security for religious instruction, in lieu of the present test, *Perowne* (1870) 480–482. 731–743. 765–767. 777.

Evidence as to the clauses of the Bill not being in accordance with the preamble as regards the provision of safeguards for religious teaching, *Perowne* (1870) 559–564. 669. 744, 745; *Waraker* (1871) 2095. 2104. 2134–2138. 2155. 2180; *Leighton* (1871) 2350.

Conclusion as to the universities being places of education instead of mere instruction, and as to the vital importance of such education not being dissociated from religion, *Perowne* (1870) 583–593.

Witness submits that some guarantees may be provided for securing the maintenance of religious worship and education more effectually than is proposed by the Bill, *Lightfoot* (1870) 841 *et seq.*——Safeguard if it were possible to preserve for the religious purposes of each college such a portion of the revenues as is at present devoted to such purposes, *ib.* 1169——Belief as to the more effectual operation of the clause proposed by witness, than of Clause 4 of the Bill, as regards the religious question, *Rolleston* (1870) 1250–1259.

Inexpediency of abandoning all attempts to provide security for the religious character of university education, *Scott* (1871) 186, 187——Opinion that the safeguards provided in the Bill for religious teaching are inadequate and inefficient, *Cookson* (1871) 189–191——Importance of its being expressly stated in the Bill that its object was to promote the usefulness of the universities and colleges, as places of religion, as well as of education and learning, *Stokes* (1871) 474, 475.

Recommendation that a clause be added to the Bill distinctly stating that there shall be certain provisions for religious teaching, *Liddon* (1871) 681–685——Importance attached to a clause providing for religious teaching in every college in accordance with the doctrines of the Church of England, *ib.* 703–710——Very little value attached to Clause 4

Reports, 1870, 1871—*continued.*

RELIGIOUS TEACHING—continued.

4. *Requirement of other Religious Safeguards, &c.*—continued.

Clause 4 of the Bill; much better safeguard by means of a somewhat different clause in the Bill of 1869, *Liddon* (1871) 739, 740. 746, 747. 803——Admission that the Bill is not without some security for the religious character of the university, *ib.* 804.

Approval of some system of safeguards beyond what is proposed in the Bill, if the present system cannot be retained, *Mansel* (1871) 832——Reference to a paper drawn up at Cambridge, showing that the operation of the Bill will be to destroy the Christian character and teaching of the universities and colleges, *ib.* 916-920.

Opinion that it would be no hardship if at Oxford and Cambridge classes in Butler and the New Testament were provided for all students, *Angus* (1871) 1311-1313——Conclusion that there would be no hardship in requiring men appointed as religious teachers to teach Christianity, *ib.* 1320. 1362, 1363.

Very little value attached to the safeguards compared in the Bill, *Waraker* (1871) 2095. 2155——Conclusion as to the inadequacy of the safeguard in Section 4 of the Bill, inasmuch as the Bill will operate indirectly towards a disregard of religious qualifications in the election of fellows, *ib.* 2129-2132——Value attached to the 4th clause of the Bill, but for the repealing clause, *Leighton* (1871) 2279.

5. *Evil effects apprehended on the score of Religious Teaching if Tests be abolished*:

Great difficulty and evil apprehended if the governing body of any college were to consist partly of persons professedly opposed to all dogmatic or religious teaching; prospect of an increased admission of such persons if there were no test, *Chase* (1870) 34-45——Disharmony and dissension likely to arise in any college if the fellows were divided into two parties on the question of Christianity, *ib.* 74-78——Conclusion that indifference is the chief thing to be feared in the absence of tests; less restraint also upon the expression of anti-Christian opinions, *ib.* 143-149——Conflict of opinion by the fellows of a college comprising Dissenters and persons who are not Christians, *ib.* 191-194——Effect of the tests in impeding undogmatical teaching, *ib.* 316——Object of the opponents of the Bill to keep out the enemies of dogmatic teaching rather than to exclude Dissenters; question hereon as to the efficiency of tests for this purpose, *ib.* 352-368.

Opportunity of the professors in other subjects than theology for strengthening or weakening the students' belief in Christianity; witness is not aware of any abuse at Cambridge in this respect, *Perowne* (1870) 444-450——Ill-effect anticipated from the removal of the restraint upon anti-scriptural teaching by professors of geology, &c., *ib.* 650, 651——Probable change in the whole course of theological study by a removal of tests, *ib.* 689-691——Apprehension not only that some colleges might fall into the hands of particular sects, but that a party of infidelity might rise up, *ib.* 768-772——Difficulty, amounting almost to impossibility, in having any effectual religious teaching if the governing body be composed of persons of different creeds, *ib.* 789-799. 804.

Great difficulty in putting restrictive laws in force for controlling the teaching of any person appointed, *Stokes* (1871) 353-359——Possibility, under the Bill, of anti-religious teaching in a college, without the undergraduates being able to escape from it, *ib.* 361-369——Value of tests as a check upon persons holding opinions adverse to the Christian religion, *ib.* 402-404. 409, 410. 424-426——Way in which religious teaching in any college would be more feasible under the Bill than at present, *ib.* 438-447.

Probability of some professors and lecturers, if no longer restricted by tests, not hesitating to teach anti-Christian doctrines, *Liddon* (1871) 793-796——Conclusion that the real question at issue is between Christianity and non-Christianity, and not between Church and Dissent, *ib.* 802.

Expectation that under the Bill religious education would be allowed to fall into the background through the diversity of religious opinion among the college fellows, *Ince* (1871) 1669-1676——Expectation that college tutors and professors holding sceptical opinions would be more ready to propound them, if no longer under the restraint of a test, *ib.* 1685, 1686. 1702-1706.

Effect of the Bill seriously to affect the religious teaching and observances in the colleges, *Campion* (1871) 1829-1832——Reference to the question at issue as one between Christian and non-Christian teaching, witness being satisfied so long as the former is maintained, *Woollcombe* (1871) 2087-2089——Strong objection to the proposed abolition of all declarations, as resulting in the election of fellows of varying creeds, to the great injury of religious belief, *Waraker* (1871) 2104, 2105. 2108.

Evil of the Bill as calculated to remove the security of the Church of England teaching in the colleges, and as causing a tendency to unbelief, by reasons of the variety of teaching that would be encouraged, *Leighton* (1871) 2254-2271. 2288-2293——Bad effect of the admission of a large body of Dissenters, on account of the divergent religious views that would prevail, *ib.* 2280-2284.

Expectation that under the Bill fellows will be gradually introduced who will be perfectly indifferent to religion, if not absolutely hostile to it, *Atkinson* (1871) 2927——Mischief apprehended, not from Nonconformists, but from sceptics and infidels, *ib.* 2929-2934.

Reports, 1870, 1871—*continued.*

RELIGIOUS TEACHING—continued.

6. *Dissent from the foregoing conclusion :*

Doubt as to the Bill leading to a state of religious indifference at Cambridge, or having any great influence upon the conflict of religious opinions, *Lightfoot* (1870) 1030-1036——Reliance to be placed upon the honour of individual professors or tutors in regard to anti-religious teaching, *Rolleston* (1870) 1210-1216. 1237-1240. 1250-1254. 1336.

Witness considers that an unconditional abolition of tests would make very little difference at Oxford as regards the systematic undermining of belief, *Appleton* (1871) 488-490——Belief that an entire abolition of tests would have no effect in causing increased instruction in a sense hostile to Christianity, *ib.* 532——Wording of the test adverted to as tending to show that disbelievers might subscribe to it, *ib.* 532. 554-557.

Improbability of the Bill tending to cause an abolition of University sermons or Divinity lectures at Cambridge, *Thompson* (1871) 1067-1077——Expectation that the abolition of tests will not affect religious teaching in the University or colleges; it may be said, however, that there is now no religious teaching which is compulsory, *Hartog* (1871) 1242-1249——Statement as to witness having experienced no difficulty in teaching a common Christianity to students of different religious bodies; difficulty in the case of Unitarians, *Angus* (1871) 1315-1319.

Grounds for the conclusion that it is improbable in the extreme that, under the Bill, the majority of the governing body of any college at Oxford would sanction anti-religious teaching, or teaching opposed to that of the Church of England, *Roundell* (1871) 1441, 1442. 1470-1475——Dissent from the view that if the tests be abolished, and if the governing body of any college be composed of persons of different religious denominations, the present college lectureships will no longer be maintained, *ib.* 1465-1475——Belief that the great majority of the better men at Oxford are reverential and well disposed towards religion, and that the tendency of the place is not to bring about a state of unbelief, *ib.* 1489.

Conclusion as to the advantage, on the score of religion, by the admission of a large number of Dissenters, *Roundell* (1871) 1490. 1531, 1532; *Appleton* (1871) 1581-1589; *Jowett* (1871) 3229; *Stoughton* (1871) 3382. 3391, 3392——Opinion that the Bill will close more controversies than it may possibly open, *Roundell* (1871) 525.

Several safeguards already existing for the continuance of religious education and religious influences, *Appleton* (1871) 1572——Dissent from the view that agitation and controversy would be the result of the infusion of Roman Catholics and Dissenters into the University, *ib.* 1580, 1581.

Serious difficulty apprehended in carrying out religious education in any institution under the Government of persons of different creeds; that is, if religious education is the primary object, but not otherwise, *Allon* (1871) 2425-2431——Opinion that the repeal of tests would tend to allay controversies, and would not diminish religious influences, *Bateson* (1871) 2804-2807. 2904——Impression that the religious belief of young men is strengthened rather than weakened by religious controversy in the governing body, *ib.* 2905-2907.

Evidence to the effect that the abolition of tests would not cause any greater disturbance or divergence of religious opinion at Oxford than has prevailed under the system hitherto, *Jowett* (1871) 3017, 3018. 3156-3165. 3203-3206. 3224-3227——Belief that the presence of fellows of different denominations in any college would not lead to such conflict of opinion that no religious teaching could be kept up, *ib.* 3039. 3224-3227——Improbability of the colleges neglecting so important an influence as religion in education, *ib.* 3047, 3048——Conclusion that University professors not bound by tests would not go out of their way to attack either religion or the Church of England, *ib.* 3099, 3100.

Improbability of such a conflict of opinions in colleges, tests being abolished, that religious teaching will no longer be given, *Raleigh* (1871) 3252-3260.

7. *Objections generally to Compulsory Religious Regulations :*

Disapproval of any attempted security by Act of Parliament against anti-Christian teaching by the divinity professors or teachers, *Roundell* (1871) 1462-1464——Conclusion that the interests of religion and of the Church of England can best be promoted by making the University thoroughly efficient as a place of learning and education, *ib.* 1526, 1527.

Objection to any compulsory religious instruction in the universities, *Jowett* (1871) 3047. 3178-3181——Explanation that witness is desirous that there should be religious instruction, but objects to any compulsory regulations as to the kind of religion taught, *ib.* 3178-3181.

Statement that witness would not banish religious teaching from the universities, but cannot suggest any compulsory methods for securing it, *Raleigh* (1871) 3245. 3251. 3294-3318—— Expediency of the voluntary system being applied to religious teaching in the universities, in lieu of any system of tests, or of any enactment from without, *ib.* 3294-3318——Approval of a security for religious teaching, the difficulty being as to the substitute for tests, these being objectionable, *Stoughton* (1871) 3383-3389. 3401-3410.

Resolution

Reports, 1870, 1871—*continued.*

RELIGIOUS TEACHING—continued.

8. *Safeguard recommended by the Committee:*

Resolution of the Committee that each college shall be required to provide religious teaching for students of the Church of England belonging to the college, *Second Rep.* (1871) iii.

See also *Abolition or Relaxation of Tests. Chapel Services. Church of England. Colleges. Denominational and Undenominational Colleges. Dissenters or Non-conformists. Divinity Professors. Education Act. Fellowships. Heads of Colleges. Heresy. Parents. Preamble of the Bill. Private Tutors. Professors. Public Opinion. Roman Catholics. Secular Education. Small Colleges. Statutes of Colleges. Theology. Tutors. Undergraduates. Visitors of Colleges.*

Resident Fellows. See *Abolition or Relaxation of Tests. Fellowships.*

Rolleston, Professor George, M.D. (Analysis of his Evidence—Session 1870.)—Is Professor of Anatomy and Physiology at Oxford; took his degree in 1850; 1186-1190——Approves of the abolition of tests, but objects to the Government Bill as being founded, or as liable to be interpreted, in an anti-denominational spirit, 1191-1194. 1275-1278. 1324-1326——Disapproves of the clause repealing "any statute or ordinance of the universities or colleges, so far as it is inconsistent with the Act," 1194.

Opinion that some substitute for tests is required for the security of parents; security in the case of public schools adverted to hereon, 1195-1198. 1262. 1314——Doubt as to the Bill giving much impulse to private halls at the expense of the colleges, 1197, 1198——Tendency of the Bill to discourage parents from sending their children to colleges, 1198. 1241, 1242.

Suggested adoption of a permissive clause relative to the election of tutors to the effect, that nothing in the Bill shall be interpreted as preventing the governing body from having special regard to religious considerations in making such election; argument in detail in support of this clause, 1199-1205. 1211 *et seq.*

Expediency of overtly throwing upon the colleges the responsibility of settling the religious character of their establishments, 1199, 1200. 1204——Advantage of the appointment of tutors resting with the whole governing body of the college rather than with the head, 1202-1207.

Reference to the clause or declaration proposed by Sir Roundell Palmer, as free from two of the chief objections currently urged against tests; words of this clause, 1208, 1209. 1338——Operation in the Scotch universities of a declaration similar to that advocated by Sir Roundell Palmer, 1208——Several objections to which this declaration is open, though free from some of the objections to the present tests, 1208. 1210-1214.

Importance of relying upon an unfettered public opinion, rather than upon tests or upon a positive enactment, as regards the religious question, 1210-1217. 1250-1254. 1305-1309——Reliance to be placed upon the honour of individual professors or tutors in regard to anti-religious teaching, 1210-1216. 1237-1240. 1250-1254. 1336——Ground of witness's objection to the Bill that it does not give free scope to the collective opinion, or the collective conscience of each collegiate community in managing its tutorial funds, 1211, 1212. 1217-1223——Reason for not comprising university professors in the clause proposed by witness, 1212——Illustration of the practical difficulty of working the Scotch clause at Oxford, 1214. 1304.

Expediency of each college being allowed to settle its own teaching, although thereby there might be much diversity of teaching in the university, 1216-1218——Conclusions favourable to certain limitations upon the influence of prize fellowships, 1224-1230. 1310-1312——Question whether, under the Bill, litigation might not arise if a fellow were passed over for a tutorship for which he was senior in succession, 1231-1236. 1255-1259. 1290-1294. 1316-1323.

Varying practice in the Oxford colleges as to attendance at chapel; preference for the system of voluntary attendance, 1243-1249——Belief as to the more effectual operation of the clause proposed by witness, than of Clause 4 of the Bill, as regards the religious question, 1250-1259——Decided approval of an abolition of tests, the evil of the present Bill being that the permissive principle is not extended to the election of fellows, 1260-1263——Expediency of a power in colleges to exclude from tutorships, concurrently with the absence of tests or declarations, 1261-1263. 1273, 1274. 1316-1323. 1330, 1331.

Objection to a requirement that the heads of colleges shall be members of the Church of England, 1264, 1265——Contemplated application of witness's clause to the head of each college as well as to the tutors, 1264. 1319-1321——Improbability of any grievance arising as regards the chapel services through all denominations having free access to the governing body, 1265-1270.

Reports, 1870, 1871—*continued.*

Rolleston, Professor George, M.D. (Analysis of his Evidence—Session 1870)—*continued.*

Evidence to the effect that the colleges should be free to make themselves denominational, without being, necessarily, of the Church of England, 1268-1272. 1275-1289. 1324-1326. 1332-1335——Large influence of private tutors, there being no test or safeguard in their case, 1295-1298——Circumstance of some colleges having recently obtained power from Government to choose persons for tutors without examination, 1297.

Expected continuance, in any case, of clerical fellowships, on account of the demand for clerical heads of schools, &c., 1299, 1300. 1327-1329——Difficulty of entirely excluding religion from secular teaching, 1301-1303——Disapproval of tests for governing fellows, the only security required being to empower the colleges to elect with reference to religious considerations, 1310-1322.

Approval of the proposed clause being so modified as to include the idea that it should be the duty of the colleges to elect tutors with reference to religious qualifications, 1337.

Roman Catholics. Question considered as to the efficacy of tests for the exclusion from fellowships and from Convocation of persons who have joined the Church of Rome, *Chase* (1870) 412-414——Improbability of Roman Catholic instruction being established in any college, *Perowne* (1870) 697. 725, 726——Grounds for concluding that a Roman Catholic majority in any college is very improbable for a long time to come, *Lightfoot* (1870) 1153-1160.

Exception taken to the provision by which fellows might be in holy orders of the Church of Rome, *Cookson* (1871) 203. 254-259——Under the Bill of 1870, there was nothing to prevent those who had gone over to the Church of Rome from becoming a very important body in the University, *ib.* 225, 226.

Great improbability of the governing body of any college, in the absence of tests, being able to introduce Roman Catholic or Baptist teaching, *Roundell* (1871) 1535-1540——Doubt as to Roman Catholics going largely to Oxford, tests being abolished; improbability of their being allowed to go by their authorities, *Appleton* (1871) 1577, 1578. 1590, 1591——Discouragement by Roman Catholics in Germany of the mixture of Roman Catholics and Protestants at the same universities, *ib.* 1597-1600.

Disapproval of tests even though their removal may admit Roman Catholics into the governing body of the universities, *Reed* (1871) 2657-2662——Indisposition on the part of Roman Catholics to come to Cambridge, *Bateson* (1871) 2841——Attendance of Roman Catholics at Oxford at their own chapels; these students are not numerous and cause no interference with discipline, *Jowett* (1871) 3149-3154.

Roundell, Charles Savile. (Analysis of his Evidence—Session 1871.)—Is a non-resident fellow of Merton College, 1412, 1413——Is strongly in favour of the removal of University Tests, 1414-1416——Is also strongly opposed to the clerical restrictions upon fellowships, as frequently necessitating the choice of men of inferior intellectual qualifications, and, therefore, of an inferior class generally, 1417-1428——Contends that the restrictions upon fellowships are distinctly injurious to the interests of the Church, 1419-1421.

Objection to the system of tests, as unjust to Dissenters as well as on other grounds, 1429——Expectation that in the appointment of Divinity professors or religious teachers, public opinion will be a sufficient security against the appointment of persons holding anti-Christian views, 1430-1438——Limited influence of college tutors over the religious views of the students, as compared with the influence outside the college or University, 1439, 1440.

Grounds for the conclusion that it is improbable in the extreme that, under the Bill, the majority of the governing body of any college at Oxford would sanction anti-religious teaching, or teaching opposed to that of the Church of England, 1441, 1442. 1470-1475——Statement as to the maintenance of the Church of England services in the college chapels being sufficiently provided for by the Act of Uniformity and by the college ordinances, 1442-1453. 1558-1565——Obstacles to an alteration or repeal of the college ordinances on account of the necessity of the consent, most probably, of the visitor, and, certainly, of the Privy Council, 1452, 1453. 1558-1565——Non-objection to a special provision for the maintenance of the chapel services, 1454.

Decided objection to the former Bill for the permissive abolition of tests, 1455-1457——Injurious effect of the controversial element being introduced into the election for fellowships in any college, 1456-1458——Inexpediency also of relegating to the fellows the question whether the head of the college should be a member of the Church of England, or the question of clerical fellowships, 1459-1461.

Objection to any attempted security by Act of Parliament against anti-Christian teaching by the Divinity professors or lecturers, 1462-1464——Conclusion as to the efficiency of the operation of public opinion as a check upon anti-Christian teaching, 1464. 1475——Dissent from the view that if tests be abolished, and if the governing body of any college be composed of persons of different religious denominations, the present college lectureships will no longer be maintained, 1465-1475.

Analysis

Reports, 1870, 1871—*continued.*

Roundell, Charles Savile. (Analysis of his Evidence—Session, 1871)—*continued.*

Analysis of the residents' petition from Oxford in favour of the present Bill, showing a large majority of the resident fellows and tutors in support of the abolition of tests, 1476, 1477. 1500——Report of the Commission of 1852 adverted to as showing, that under the operation of tests, theological teaching at Oxford has been far from efficient, 1478–1485——Approval of a provision that divinity professors must be persons who have taken some orders in the Church, 1486, 1487——Contemplated provision by the colleges not only of the chapel services but of lectures in divinity, 1488.

Belief that the great majority of the better men at Oxford are reverential and well disposed towards religion, and that the tendency of the place is not to bring about a state of unbelief, 1489——Opinion that an influx of Dissenters into the universities would be the best safeguard for the maintenance of religious influences, 1490. 1531, 1532——Beneficial effect anticipated as regards morality by an influx of Dissenters, as coming from more frugal homes, *ib.* —— Unmixed good by the admission of unattached students, *ib.*

Feeling of bitterness being created towards the Church and towards religion by the continuance of tests, 1491——Grounds of objection to clerical fellowships further adverted to, 1492–1494——Decided feeling among the supporters of the Bill that there can be no concession of the principle of abolition of tests, 1495——Terms of the petition by the residents at Oxford in favour of abolition, 1497–1499——Larger scope for objection to the subscription to the Thirty-nine Articles than to a declaration of membership of the Church of England, 1501–1504.

Decided objection to retaining the tests in some colleges and abolishing them in others: effect of such distinction to flood the former colleges with inferior men, 1505–1509——Argument that the university is primarily a place of learning and education, and that the Church of England only comes in secondarily, 1510–1513. 1526——Circumstance of the colleges being spoken of in the statutes as places of "religion and learning," 1511–1513——Belief that in the election of fellows the controversial element in colleges is not likely to be increased by the abolition of tests, 1514–1517.

Expediency of at once settling the question of tests, and of dealing separately and subsequently with clerical fellowships and other questions, 1518–1524——Importance of limiting the sinecure fellowships, and of introducing as a rule the terminable principle, 1523——Opinion that the Bill will close more controversies than it may possibly open, 1525——Conclusion that the interests of religion and of the Church of England can best be promoted by making the university thoroughly efficient as a place of learning and education, 1526, 1527——Great improbability of the education in the university being narrowed by the influence of Dissenters or others, 1528-1530.

Advantage to the university by the accession of a number of young men of limited means rather than by the accession of the sons of the plutocracy, 1531–1534——Great improbability of the governing body of any college, in the absence of tests, being able to introduce Roman Catholic or Baptist teaching, 1535–1540——Uselessness of the Article lecture given in colleges as a means of religious instruction, 1541–1543——Disadvantage experienced in the case of Merton College by reason of the clerical fellowships, 1544–1548.

Reference to the Divinity professorships as being expressly excepted from the Bill 1549, 1550——Power of the colleges to appoint Divinity lecturers, *ib.*——Further explanation on the question of the maintenance of the chapel service, this being one of the safeguards approved by witness, 1550–1553. 1557–1565——Conclusion that the religious teaching in any college is not likely to be so relaxed that parents would object to sending their sons there, 1554–1556——Preponderance of the Church of England at the Universities so long as it is the Established Church, irrespectively of tests, 1557.

Further statement that witness would prefer to forego the Bill for the present, rather than sanction any abandonment of its principle, or consent to the adoption of a modified test; similar feeling of the supporters of the Bill generally, 1566–1570——Probability of a majority of the members of congregation at Oxford having petitioned against the Bill, 1570.

Ruskin, Mr. Lectures of Mr. Ruskin (as Slade Professor) adverted to as having included, references to dogmatic questions in large numbers, *Chase* (1870) 29–33. 384–386.

S.

Safeguards (*Religion and Religious Teaching*). See *Abolition or Relaxation of Tests. Chapel Services. Colleges. Compulsory Regulations. Dissenters or Nonconformists. Divinity Professors. Fellowships. Heads of Colleges. Preamble of the Bill. Professors. Public Opinion. Religious Teaching. Roman Catholics. Statutes of Colleges. Tutors. Vice Chancellor. Visitors of Colleges.*

Reports, 1870, 1871—*continued.*

St. John's College (*Cambridge*). Total of fifty-six fellows of the college, all the fellowships being now held under the same conditions, *Bateson* (1871) 2794, 2795——Three different declarations made by the fellows; difficulty caused by one of these, affirming the inspiration of the Scriptures, *ib.* 2796–2798. 2899–2902——Practice as to the attendance of Nonconformists at the chapel service in St. John's, no difficulty having ever been raised; contemplated relaxation as to attendance, *ib.* 2809–2812. 2833–2836. 2839–2849——Nature of the powers of the visitor of the college, and extent of his interference; he has no control over alteration of the statutes, *ib.* 2822–2832——Proportion of clerical fellows in the governing body; relaxation of the requirement as to holy orders, *ib.* 2864–2868.

St. Peter's College (*Cambridge*). Practice in St. Peter's College in selecting fellows with direct reference to their intellectual qualifications, *Cookson* (1871) 244–246.

Scholarships (*Cambridge*). Statement as to all prizes and scholarships at Cambridge, except the Bell Scholarships, being open to undergraduates without tests, *Perowne* (1870) 542–547.

Scotch Universities. Operation in the Scotch universities of a declaration similar to that advocated by Sir Roundell Palmer, *Rolleston* (1870) 1208.

Better relation of the Dissenting bodies in Scotland than in England, to the Established Church, through their common education at the same universities, *Jowett* (1871) 3229.

Scott, The Very Rererend Robert, D.D., (Dean of Rochester). (Analysis of his Evidence—Session 1871.)—Was master of Balliol College for about sixteen years, 1——Important control exercised over the appointment of tutors of any college by the college meeting, though the actual appointment rests with the head of the college, 3–20——Power of the college meeting to withhold payment of any tutor, 5–13——Practice generally to select the tutor from the college, 15–17——Selection, generally, of the master of the college by the college meeting, 21. 96.

Power of the college meeting to overrule the master with respect to the chapel and the college service, 22–25——Power of the visitor to interfere as regards the chapel, the visitor being, however, appointed by the college meeting, 23–30——Belief as to its being optional in the college meeting to appoint either a clerical or lay visitor, 31–34——Difficulty of interference by the head of the college with the tutors in regard to the course of lectures, 35.

Different practice in different colleges at Oxford as to the assignment of pupils to the tutors, the emoluments not depending upon the pupils assigned, 36——Practice in Balliol College in regard to a catechetic lecture, and certain other lectures, independently of control by the college meeting, 37–39——Doubt as to there being a power in the head of the college to remove a tutor, 40, 41——Power of the university to remove a tutor or a member of any college for open heresy, 42–51——Power of the visitor as to the enforcement of the statutes, and the sanction of rules and bye-laws, 52–54.

State of public opinion in the university and in the colleges adverted to as likely to render useless the insertion of any provisions in the Bill for the protection of religious education, 55–62. 77–82. 172–178. 186——Permanent non-residence of one of the fellows of Balliol, another being temporarily non-resident, 63, 64——Doubt as to any advantage in a proposed clause to the effect that no person in his public capacity shall say or do anything to impugn the Christian faith or the authority of the Scriptures, 65–68——Approval of a recognition in the Act of religious character as one of the elements of fitness for the position of tutor, 69–73.

Probability of the college being able to carry its own views against those of the University upon the question of a diminution of religious teaching, 74–76——Regard had chiefly to intellectual qualities in the election of fellows, 83–87——Advantage in some respects, if it were provided that the head of the college should be a member of the Church of England, 88–103——Approval of its being left to each college to decide whether it should abolish the tests, and throw its fellowships open, 104–111. 133–135.

Less danger in relieving prize fellowships from restrictions, than those fellowships which are offices of trust; difficulty, however, of retaining restrictions in the latter case, 112–118——Opinion favourable to a distinction beteween endowments, dating from before the Reformation, and those of a more modern date, 119–125——Probable assimilation of public opinion in the different colleges under a system of free election, 126——Probability of the abolition of tests causing fellowships to be still more sought for in particular colleges, 127–132.

Expectation that if tests are abolished the teaching of the Articles would be expunged from the University examinations, 136–145. 157, 158——Further statement as to the restriction upon the appointment of tutors by the heads of colleges, 146–150——Expected discontinuance of the clerical fellowships as a result of the abolition of tests, 152, 153——Difficulty in removing entirely from the colleges, and placing in the university the power of theological teaching, 154–156——Less difference to be caused in Balliol College than in other colleges at Oxford, by the removal of tests, 159, 160.

Important

Reports, 1870, 1871—*continued.*

Scott, The Very Rev. Robert, D.D. (Analysis of his Evidence—Session 1871)—*continued.*

Important safeguard by providing that those who are now in holy orders by statute, being heads of colleges, should continue to be so, 161, 162——Expediency also of providing that the chapels shall be secured for the Church of England service, exclusively, 163, 164——Opinion that the attendance at the chapel service should be voluntary, 165. 187——Objection to terminable fellowships, save in case of non-residence, 166-168——Opinion as to the evil of any decided limitation in the number of clerical fellowships, 169-171.

Consideration of the probable effect of public opinion in the country upon that in the colleges and the universities, as regards the question of religious tests, 172-185——Importance attached to the views of persons who send their children to the universities, 179-185——Inexpediency of abandoning all attempts to provide security for the religious charcter of university education, 186, 187.

Secular Education. Difficulty of drawing a distinct line between the theological and the secular education in the Universities, *Chase* (1870) 184-186——Difficulty of entirely excluding religion from secular teaching, *Rolleston* (1870) 1301-1303.

Great value attached to the religious teaching of students in colleges generally, as compared with an exclusive system of secular teaching, *Angus* (1871) 1332-1338——Contemplated use of the universities mainly for the imparting of secular instruction, the religious teaching being left to voluntary action elsewhere, *Raleigh* (1871) 3283, 3284. 3318.

Senate (Cambridge). Probability of much complication and strife, if Dissenters should have a vote upon all questions which come before the senate at Cambridge, *Perowne* (1870) 424, 425——Great evil if a majority of the senate, adverse or indifferent to the Church of England, were to regulate the studies for candidates for holy orders, *Cookson* (1871) 263-267——Very mild test for the Senate House at Cambridge, a declaration of membership of the Church of England being alone required, *Thompson* (1871) 944, 945——Decided objection to the senate being empowered to control the colleges in the matter of religious teaching, *ib.* 1001-1004——Probability of the tests for the senate at Cambridge being generally looked upon as a mere form, and having little efficacy, *ib.* 1064-1066.

Senior Wranglers. Conclusion as regard the exclusion of some senior wranglers from fellowships, that any hardship thereby is small as compared with the evil of an abolition of tests, *Perowne* (1870) 832, 833.

Witness, who was senior wrangler in 1869, has been prevented by the tests for trying for a fellowship, and several other senior wranglers have been restrained in the same way, *Hartog* (1871) 1226-1231——Statement to the effect that witness would assuredly have obtained a fellowship at Trinity but for his objection to take the test, *ib.* 1287-1289. 1292-1295.

Return showing that four senior wranglers have been excluded by tests in the years 1860-71, *App.* (1871) 337.

Slade Professorship. Reference to the Slade Professorship held by Mr. Ruskin, as one not affected in any way by the Bill, *Chase* (1870) 304-306.

Small Colleges. Expectation that the Bill will show its effect chiefly in the smaller colleges, *Lightfoot* (1870) 1146-1153——Way in which an entire abolition of tests would have a specially injurious effect upon the smaller colleges, *Liddon* (1871) 677, 678——The absolute proscription of religion would be necessary in order to carry education on, *ib.* 678.

Apprehended discord in small colleges upon the question of religious teaching if the Bill be passed in its present shape, *Campion* (1871) 1868. 1963, 1964——Opportunities of a tutor in a small college for exercising a great influence over the religious belief of the undergraduates, *ib.* 1859-1861. 1913-1916——Injurious effect of the Bill upon the smaller colleges, and the religious instruction therein, *Waraker* (1871) 2104.

Probability of some of the smaller colleges becoming denominational, if tests be abolished; witness would see no evil in this, *Bateson* (1871) 2803. 2806. 2903——Belief as to the adequacy of public opinion as a security for small colleges taking proper steps in regard to religious education, *Jowett* (1871) 3110-3112——Very limited extent to which the University of Cambridge receives any aid from the State; large vote received by the London University and the University of Glasgow, *Perowne* (1870) 652-654. 679.

Statutes of Colleges. Very slight additional security at Cambridge if alteration of the college statutes required in all cases the consent of the visitor, *Perowne* (1870) 720-722. 753-759——Doubt as to the necessity of any further restriction at Cambridge before alteration of the college statutes, *Lightfoot* (1870) 1182-1184——Frequent agitations in Trinity for alteration of the college statutes; these, however, are a useful safety valve, *ib.*

 ——Disapproval

Reports, 1870, 1871—*continued.*

Statutes of Colleges—continued.

——Disapproval of the clause repealing "any statute or ordinance of the universities or colleges, so far as it is inconsistent with the Act," *Rolleston* (1870) 1194.

Power of the colleges at Cambridge to alter their statutes by appeal to the Queen in Council, without any reference to the visitor, *Cookson* (1871) 232-234—— Disapproval of the safeguards provided by the Bill, as resting upon college or university statutes, which may at any time be altered by a majority of the college or senate, subject to the approval of the Queen in Council, *Stokes* (1871) 327-334——Several objections to the consent of the visitor being required before any alteration can be made in the statutes, *ib.* 337-339—— Objection to a suggestion that the consent of the university at large be required before any change of the statutes, *ib.* 340-342——Possibility under the Bill of the statutes of a college being altered, if there were at any time a large influx of the Nonconformist element, *ib.* 385. 396-406.

Obstacles to an alteration or repeal of the college ordinances on account of the necessity of the consent, most probably, of the visitor, and, certainly, of the Privy Council, *Roundell* (1871) 1452, 1453, 1558-1565——Limited reliance to be placed upon the security afforded by the college statutes, as they are easily altered, *Leighton* (1871) 2263. 2299-2309.

Resolution of the Committee that no change shall be made in the qualifications required for headships and fellowships by statutes and ordinances, except by authority of Parliament, *Second Rep.* (1871) iii.

See also *Colleges. Commission.*

Stokes, Professor George Gabriel. (Analysis of his Evidence—Session 1871).—Is Lucasian Professor of Mathematics at Cambridge, and is a fellow of Pembroke College, 326—— Disapproves of the safeguards provided by the Bill as resting upon college or university statutes, which may at any time be altered by a majority of the college or senate, subject to the approval of the Queen in Council, 327-334——Considers that the safeguards to be provided should be embodied in the Bill itself, 335, 336. 360. 390——Submits several objections to the consent of the visitor being required before any alteration can be made in the statutes, 337-339——Is also opposed to a suggestion that the consent of the university at large be required before any change of the statutes, 340-342.

Statement in approval of a scheme, which has been accepted by a considerable number of the Cambridge residents, whereby religious tests should not be relaxed in the case of a head of a college, a tutor, a dean, a chaplain, or a lecturer on theology, 343-352. 360. 391-395. 427-437—— Feeling of witness that some change is inevitable, though he disapproves of the alteration proposed by the Bill, 343. 448-450—— Contemplated relaxation of tests in the case of fellowships to which emoluments without duties are attached, 343. 346. 427-430.

Great difficulty in putting restrictive laws in force for controlling the teaching of any person appointed, 353-359——Possibility, under the Bill, of anti-religious teaching in a college, without the undergraduates being able to escape from it, 361-369——Expediency of safeguards for securing that the Hulsean and Norrisian professors as well as other professors and lecturers, are members of the Church of England, 370-374. 416-423——Possibility of a complete change being made in the college services, unless some safeguard be provided; suggestions on the subject, 375-380.

Approval of a conscience clause in the Bill, by which students might be allowed by the college authorities to absent themselves from lectures, 381-384. 457-461——Possibility under the Bill of the statutes of a college being altered, if there were at any time a large influx of the Nonconformist element, 385. 396-406——Probable permanence of the proposed regulation for continuing the tests in the case of tutors and others, 385-395.

Value of tests as a check upon persons holding opinions adverse to the Christian religion, 402-404. 409, 410. 424-426——Objection to certain colleges being made undenominational and some denominational, though this plan would reflect to some extent the difference of religious opinion in the country, 407-415——Exception taken to the system of non-resident fellows, 428-430——Way in which irreligious teaching in any college would be more feasible under the Bill than at present, 438-447.

Opinion that non-resident fellowships should be terminable, irrespective of celibacy, 451——Objection to resident fellowships being terminable, *ib.*——Practice of visitors not to exercise their powers of inquiry, unless special complaints be made, 452-456—— Inexpediency of mere intellectual distinction entitling any man to share in the government of a college, 462-466——Several alterations desirable as regards the tenure of fellowships, 467-470——Advantage of at least one tutor being required to reside within the walls of each college, 471-473——Importance of its being expressly stated in the Bill that its object was to promote the usefulness of the universities and colleges, as places of religion as well as of education and learning, 474, 475——Degree of security under the Bill as to the heads of colleges being in Holy Orders, 478-481.

Stoughton, The Rev. John, D.D. (Analysis of his Evidence—Session 1871.)—Explanation relative to the constitution of Nonconformist colleges, and the steps taken in order to guard

Reports, 1870, 1871—*continued.*

Stoughton, The Rev. John, D.D. (Analysis of his Evidence—Session 1871)—*continued.*

guard against theological error, 3321-3332——Existence of a trust deed in the case of each college, containing specifications of the truths to be taught; no subscription is required either from a professor or a student, 3322, 3323——Requirement that each student must be a member of a Congregational Church, and must come with the recommendation of his pastor, 3322.

Particulars relative to Coward's Trust; important distinction drawn between this trust and a college at Oxford or Cambridge, 3323-3338——Powers of the trustees of Nonconformist colleges to prevent objectionable teaching by the tutors, 3330-3332——Advantages of colleges at Oxford and Cambridge in a national sense, as compared with the advantages of the voluntary system of Nonconformist colleges; question as to the right of Parliamentary interference with the endowments in the former case, 3333-3350. 3393-3397.

Conclusion adverse to the present system of tests at the universities; inability, however, of witness to suggest any efficient substitute for the maintenance of religious education, 3343 *et seq.*——Safeguard by means of public opinion, 3369-3372. 3389——Expected large increase of Nonconformists at the universities, if tests be abolished; separate theological teaching of these apart from the universities, 3373-3377.

Reason for Parliamentary interference with endowed colleges at the universities, which do not apply to theological halls or colleges supported by Nonconformists, 3378-3381——Beneficial influence in a religious sense of an increased accession of Dissenters to the universities, 3382. 3391, 3392——Approval of a security for religious teaching, the difficulty being as to the substitute for tests, these being objectionable, 3383-3389. 3401-3410.

Belief that the Bill will eventually tend to promote the interests of religion, 3390——Admission that post-Reformation endowments do not stand in the same category as pre-Reformation endowments, and that some argument exists for a separate representation of denominationalism, 3393-3400——Failure of tests to accomplish their object, men having various ways of getting out of them, 3407-3409.

T.

Theology. Tendency of the Bill to make the theological students more sectional and narrow, *Chase* (1870) 280-285——Difficulty in removing entirely from the colleges and placing in the university the power of theological teaching, *Scott* (1871) 154-156.

Obstacle to retaining the voluntary theological examination at Cambridge if the governing body were not required to be members of the Church of England, *Cookson* (1871) 260-262——Improbability of the council at Cambridge containing a large number of persons undesirable as electors of a theological professor, *ib.* 290-293.

Importance, in a national sense, of the study of theology being carried out at the universities, and being subject to salutory restrictions, *Ince* (1871) 1776-1781.

Opinion as to the expediency of the same latitude and freedom in the examination of facts and opinions in theology as of other facts and opinions, *Jowett* (1871) 3065-3069.

See also *Divinity Professors. Religious Teaching.*

Thirty-nine Articles. Objection chiefly to the test of the Thirty-nine Articles, *Lightfoot* (1870) 1047, 1048——Expectation that if tests are abolished the teaching of the Articles would be expunged from the university examinations, *Scott* (1871) 136-145. 157, 158——Larger scope for objection to the subscription of the Thirty-nine Articles than to a declaration of membership of the Church of England, *Roundell* (1871) 1501-1504——Beneficial working of the present tests, though the witness would be content with a much wider test than that of the Thirty-nine Articles, *Woollcombe* (1871) 2067.

See also *Abolition or Relaxation of Tests.*

Thompson, the Rev. William Hepworth, D.D. (Analysis of his Evidence—Session 1871.)—Is Master of Trinity College, Cambridge; has had many years' experience as a resident, in different capacities, 939-942——Very mild test for the Senate House at Cambridge, a declaration of membership of the Church of England being alone required, 944, 945——Relative efficiency of the test in the case of Dissenters and of persons holding no distinct form of belief, 946-957. 1019-1028——Doubt as to the necessity or advantage of the test as a check upon persons wishing to teach doctrines hostile to the Church of England; important check by means of public opinion in such cases, 958-965. 1029-1033. 1084, 1085.

Statement that the great majority of those occupied in lecturing in Trinity College are in favour of the Bill, 966——Conclusion as to a removal of tests leading to a greater security of the university institutions and of college property, 967-974. 1046-1050——Evil of the present system as causing the frequent exclusion of admirable candidates for fellowships and professorships, 974, 975——Opinion adverse to any test upon fellows or tutors; absence of any test for the latter at Cambridge, 976-980.

Approval of a direction to the electing body to be governed by religious considerations

Reports, 1870, 1871—*continued.*

Thompson, The Rev. W. Hepworth, D.D. (Analysis of his Evidence—Sess. 1871)—*cont.*

in their election of fellows; the term "Christian religion" might be used in the direction, 978, 979. 990-992——Absence of theological differences in the lecture-room at Cambridge; statement hereon as to the power of the college authorities to take action in case any lecturer or tutor abused his position, 981-989. 1097-1100——Apprehended agitation on the part both of resident and non-resident fellows in the event of optional tests, 993-1000. 1111, 1112——Decided objection to the senate being empowered to control the colleges in the matter of religious teaching, 1001-1004.

Growing spirit of liberal intolerance in the University of Cambridge, the continuance of tests tending to foster such spirit, 1005-1007——Information relative to the visitorship of Trinity College; exceptional occasions on which the visitorial power is exercised, 1008-1018——Explanation on the subject of religious study at Cambridge and the books used; there is nothing analogous to the Oxford Divinity school, 1029-1035——Statement as to the choice of books at Cambridge resting with the examiner, and as to the particular books used by the students in the Moral Science examinations, 1036-1045.

Further evidence as to many persons being excluded from fellowships and emoluments by the tests required to be taken, 1050-1057——Inconvenience and objection to which the system of non-resident fellows is open; restriction desirable as to the tenure of lay fellowships, 1058-1063. 1112, 1113——Probability of the test for the senate at Cambridge being generally looked upon as a mere form, and having little efficacy, 1064-1066——Improbability of the Bill tending to cause an abolition of university sermons or Divinity lectures at Cambridge, 1067-1077.

Tendency of the tests to excite in some minds a feeling of hostility to the Church of England, 1078-1080——Conclusion as to the inexpediency generally of tests, though in the case of a Divinity professorship a test may be desirable, 1081-1090——Statement as to the Divinity professors at Cambridge being all in Holy Orders, 1090-1093——Importance attached to the requirement that many headships of houses must be held by clergymen, 1093-1096——Improbability of the Bill preventing religious fitness being considered by the electing body in the case of fellowships, 1101-1111.

Further statement as to the probable differences between resident and non-resident fellows if the abolition of tests by colleges were optional, 1111-1116——Great inconvenience in making some colleges denominational and some undenominational, 1117, 1118——Decided objection to any distinction by the Bill between pre-Reformation and post-Reformation colleges at Cambridge, 1119-1121——Satisfaction expressed with the Bill in its present shape, 1122, 1123——Very little safeguard by the provision that in the election of fellows reference be had to the university as "a place of religion," &c., 1124-1129.

Explanation and approval of the practice at Trinity as to the fellows being obliged to take Holy Orders at the end of seven years; exception made in the case of those holding certain offices, some twenty in number, 1130-1137.

Tractarianism. Circumstance of the existence of tests at Oxford not having prevented serious divergence of opinion within the Christian body, as in the case of the Tractarian movement, *Chase* (1870) 323-329. 344-346.

Trinity College (Cambridge). Appointment to college livings in Trinity by the master and eight senior fellows, *Lightfoot* (1870) 853——Practice in Trinity for the master and eight senior fellows to appoint the college tutors; appointment formerly by the master only, *ib.* 864. 970-972——Question considered whether if tests be abolished there will not be danger of a majority of the eight senior fellows of Trinity being Nonconformists, *ib.* 865-869——Lapse of many years before a removal of tests could seriously affect the constitution of the seniority of Trinity, *ib.* 899-901——Checks upon a Nonconformist or anti-Christian majority of senior fellows overthrowing all securities for religious education, *ib.* 902-908.

Examination for fellowships of Trinity, and the election of fellows, by the master and eight seniors, *Lightfoot* (1870) 917-921——Opportunity, by an alteration of the statutes of Trinity, for preventing the action of a majority of the senior fellows in a sense contrary to the Church of England, *ib.* 970-977. 1016——Majority in Trinity College in favour of the Bill, or some measure like it, *ib.* 1011, 1012. 1124.

Rule in Trinity as to fellows holding offices, or resigning their fellowships after a certain time, if not in Holy Orders, *Lightfoot* (1870) 1017-1019. 1073-1075——Separate test imposed upon every fellow of Trinity by college statute, *ib.* 1045, 1046. 1049——About half the fellows are non-resident, *ib.* 1162.

Statement that the great majority of those occupied in lecturing in Trinity College are in favour of the Bill, *Thompson* (1871) 966——Information relative to the visitorship of Trinity; exceptional occasions on which the visitorial power is exercised, *ib.* 1008-1018——Explanation and approval of the practice at Trinity, as to fellows being obliged to take Holy Orders at the end of seven years; exception made in the case of those holding certain offices, some twenty in number, *ib.* 1130-1137.

Reports, 1870, 1871—*continued.*

TUTORS:

1. *Present Regulations as to the Appointment and Control of College Tutors.*
2. *Nature of the Influence of Tutors in regard to the Religious Opinions of the Undergraduates.*
3. *Clause suggested by Professor Rolleston relative to the Election of Tutors.*
4. *Suggestions generally relative to the Appointment of Tutors, and the Question of a Test.*

1. *Present Regulations as to the Appointment and Control of College Tutors:*

Power of the heads of colleges at Oxford as to the appointment of the college tutors, certain conditions being prescribed by the university statutes, *Chase* (1870) 52–63—— Means of the university, and of the heads of colleges, for exercising a restriction upon the tutors' lectures, *ib.* 70–73.

Powers of the heads of colleges at Cambridge as to the appointment and removal of college tutors, *Perowne* (1870) 453–461. 464, 465——Supervision by the master of the college over the character of the tutors' lectures, *ib.* 462–465.

Important control exercised over the appointment of tutors of any college at Oxford by the college meeting, though the actual appointment rests with the head of the college, *Scott* (1871) 3–20——Power of the college meeting to withhold payment of any tutor, *ib.* 5–13——Practice generally to select the tutor from the college, *ib.* 15–17—— Difficulty of interference by the head of the college with the tutors, in regard to the course of lectures, *ib.* 35——Different practice in different colleges at Oxford as to the assignment of pupils to the tutors, the emoluments not depending upon the pupils assigned, *ib.* 36——Doubt as to there being a power in the head of the college to remove a tutor, *ib.* 40, 41.

Further statement as to the restriction upon the appointment of tutors by the heads of colleges at Oxford, *Scott* (1871) 146–150——Power of heads of colleges as to the appointment of tutors, the amount of pay being decided by the colleges, *Ince* (1871) 1691–1694.

2. *Nature of the Influence of Tutors in regard to the Religious Opinions of the Undergraduates:*

Considerable facilities of the tutors for acting upon the religious opinions of the undergraduates, *Chase* (1870) 64–99. 369–375——Opportunities of the college tutors for influencing the students in a religious sense, especially in the smaller colleges, *Perowne* (1870) 470–475.

Great influence of college tutors with their pupils, it being very essential in their case that the tests should involve a declaration of conformity to the Liturgy of the Church of England, *Mansel* (1871) 845–851. 870. 901, 902——Considerable power of tutors over the religious teaching in their colleges, by reason of their personal influence with the students, *Ince* (1871) 1606–1609.

Respects in which the college tutors exercise much more influence than the private tutors, especially in small colleges, *Campion* (1871) 1859–1861. 1911–1916——Influence of college tutors otherwise, as well as by means of lectures, *Woollcombe* (1871) 2026–2028——Evil likely to result at first from the influence of individual teachers; power as to the removal of tutors adverted to hereon, *Leighton* (1871) 2285–2287.

Care taken by tutors not to teach anything contrary to the Christian religion, nor to inculcate their views in the shape of religious doubts and difficulties, *Appleton* (1871) 525–529. 542–544——Very little opportunity of college tutors for affecting the religious belief of their pupils, *Hartog* (1871) 1254–1257——Limited influence of college tutors over the religious views of the students, as compared with the influence outside the college or university, *Roundell* (1871) 1439, 1440.

3. *Clause suggested by Professor Rolleston relative to the Election of Tutors:*

Suggested adoption of a permissive clause relative to the election of tutors to the effect that nothing in the Bill shall be interpreted as preventing the governing body from having special regard to religious considerations in making such election; argument in detail in support of this clause, *Rolleston* (1870) 1199–1205. 1211 *et seq.*——Way in which the clause should run, *ib.* 1219——Circumstance of some colleges having recently obtained power from Government to choose persons for tutors without examination, *ib.* 1297.

Approval of the proposed clause being so modified as to include the idea that it should be the duty of the colleges to elect tutors with reference to religious qualifications, *Rolleston* (1870) 1337.

4. *Suggestions generally relative to the Appointment of Tutors, and the Question of a Test:*

Advantage, if it were feasible, of still retaining some religious test for college tutors; difficulties in the way, *Lightfoot* (1870) 925–930——Expediency of the appointment of tutors resting with the whole governing body of the college rather than with the head, *Rolleston* (1870) 1202–1207.

Reports, 1870, 1871—*continued.*

TUTORS—continued.

4. *Suggestions generally relative to the Appointment of Tutors, &c.*—continued.

Approval of a recognition in the Act of religious character as one of the elements of fitness for the position of tutor, *Scott* (1871) 69-73——Approval of a clause in the Bill that in the election of fellows and tutors, special regard be had to the interests of the colleges as places of religion, learning, and education, *Cookson* (1871) 227-229.

Evidence in favour of a scheme for continuing the tests for tutors and others, but not for all fellows, *Stokes* (1871) 343-352. 391-395. 427-437——Importance of the religious test not being relaxed in the case of tutors, *ib.* 346-348——Advantage of at least one tutor being required to reside within the walls of each college, *ib.* 471-473.

Special importance of insisting on a test in the case of tutor fellowships, *Liddon* (1871) 827——Question as to its being advisable, in lieu of tests, to control the nature of the teaching to be given, *Hartog* (1871) 1250, 1251——Primary importance of earnest Christian teachers, this being a desideratum which cannot be secured by tests, *Angus* (1871) 1336, 1337. 1371. 1400-1405——Further statement that the main thing wanted is a succession of Christian and earnest teachers, and that these cannot be secured by any form of test, *ib.* 1400-1404.

Grounds for objecting to any interference with the right of the colleges to impose conditions or tests in the appointment of tutors, *Ince* (1871) 1717-1719. 1741-1743——Advantage under the Bill, if there were in every college at least one tutor who is a churchman, *Atkinson* (1871) 2942. 2978. 2987.

Approval of Divinity tutors being paid out of the general tutorial fund of the colleges for such teaching as might be required of them, *Jowett* (1871) 3093-3098——Advantage of college tutors, as religious teachers, being partly dependent on their pupils for remuneration, *ib.* 3121-3124. 3179.

Expediency of a power in colleges to exclude from tutorships, concurrently with the absence of tests or declarations, *Rolleston* (1870) 1261-1263. 1273, 1274. 1316-1323. 1330, 1331.

See also *Abolition or Removal of Tests.* *Church of England.* *Fellowships.* *Heresy.* *Litigation.* *Private Tutors.* *Religious Teaching.*

U.

Unattached Students. Unmixed good by the admission of unattached students to Oxford, *Roundell* (1871) 1531, 1532.——*See* also *Censors.*

Undenominational Colleges. See *Denominational and Undenominational Colleges.*

Undergraduates. Average age at which young men come to Oxford; special importance of the teaching at this age not being opposed to religion, *Chase* (1870) 215-221——Doubt as to there being any strong feeling among undergraduates at Cambridge in favour of throwing open the fellowships, *Lightfoot* (1870) 948, 949——Conclusion as regards the influence upon the minds of undergraduates, that the tests are not on the whole desirable, *ib.* 1133-1143.

Expediency of considering the interests of the young men who come to the university, rather than the feelings or interests of individual teachers, *Mansel* (1871) 886-888.

Growing feeling among the undergraduates at Cambridge in favour of the abolition of tests; result of discussions on the subject in the Cambridge Union, *Hartog* (1871) 1232-1239. 1272, 1273. 1277-1280——Want of interest on the part of the undergraduates upon the question of offices being thrown open, *ib.* 1237-1239. 1278.

Inexpediency of religious controversy being brought before students on first coming to the university, *Campion* (1871) 1950-1952——Very injurious effect upon the religious views of the undergraduates by the introduction of fellows differing widely in religious opinions, or without any religious creed, *Atkinson* (1871) 2929-2934.

See also *Abolition or Relaxation of Tests.* *Anti-Religious Teaching.* *Conscience Clause.* *Parents.* *Private Tutors.* *Religious Teaching.* *Tutors.*

Union Club (Cambridge University). Nature of the questions discussed at the Union Club of Cambridge University, and of the check exercised by the Vice Chancellor; probable mischief on this score if the Bill be passed, *Atkinson* (1871) 2952-2954. 3000-3002.

Unitarians. Reference to Unitarians as including themselves in the body of professing Christians, *Angus* (1871) 1398, 1399——Less tendency among Dissenters to Unitarianism than among the members of the Church of England, *Appleton* (1871) 1575——Approval of the introduction of Unitarians into Oxford, witness considering them to be a very religious and intelligent body of Christians, *ib.* 1579.

See also *Dissenters or Nonconformists.*

Reports, 1870, 1871—*continued.*

Universities. Prospective effect of the Bill seriously to affect the universities, and to produce a great alteration in the whole current of university legislation, *Leighton* (1871) 2252, 2253. 2310-2318——Equal importance attached by Dissenters to a removal of university tests as of college tests, *Reed* (1871) 2602-2604.

See also the Headings generally throughout the Index.

University Reform Act of 1854. Consideration of the effect of the University Reform Act of 1854 as regards non-resident fellowships, these involving little, if any, duty towards the colleges, *Chase* (1870) 255-263. 301——Effect of the legislation of 1854 in causing the clerical fellowships in some colleges to be held by younger men, *ib.* 270-273.

V.

Vice Chancellor. Very responsible position of the Vice Chancellor of Cambridge University as regards appointments, it being highly inexpedient to discontinue the security of his being a member of the Church of England, *Perowne* (1870) 634-639——Doubt as to the necessity of specially requiring that the Vice Chancellor at Cambridge shall be a member of the Church of England, *Lightfoot* (1870) 1067.

Under the Bill the Vice Chancellor, as at Oxford, will not necessarily be a member of the Church of England, *Neate* (1871) 1142——Contemplated exercise of control by the Vice Chancellor in the selection of tutors, *ib.* 1188. 1222.

Visitors of Colleges. Belief as to its being optional in the college meeting to appoint either a clerical or lay visitor, *Scott* (1871) 31-34——Power of the visitor as to the enforcement of the statutes, and the sanction of rules and by-laws, *ib.* 52-54——Very restricted powers of the visitors of colleges as to the religious education; varying powers in different colleges, *Cookson* (1871) 215-221. 230, 231——Practice of visitors not to exercise their powers of inquiry unless special complaints be made, *Stokes* (1871) 452-456.

Necessity, if the Bill be passed, of reconsidering the visitorial power, and the question of who shall be visitors, *Neate* (1871) 1145-1147——In every case where the visitorial power is not in the Crown, it should be transferred to the Chancellor of the university, *ib.* 1147.

Difficulty as to the exercise of the power of the visitor for preventing anti-Christian teaching, *Campion* (1871) 1869, 1870——Power of the visitor of any college to require renewal of the test, and on refusal to deprive, *Leighton* (1871) 2241-2244.

See also *Statutes of Colleges.*

W.

Waraker Thomas, LL.D. (Analysis of his Evidence—Session 1871.)—Is opposed to the whole principle of the Bill, but submits sundry amendments which, if adopted, will deprive it of much of its pernicious character, 2091 *et seq.*——Exception taken generally to the enacting clauses of the Bill as not coinciding with the preamble, 2095. 2104. 2138. 2155. 2180——Very little value attached to the safeguards comprised in the Bill, 2095. 2155——Proposal for retaining the section of the Act of Uniformity which provides for the sole and exclusive maintenance of the worship of the Church of England in the college chapels, 2095-2099——Advantage of a positive enactment in the Bill to the foregoing effect, 2100-2103.

Strong objection to the proposed abolition of all declarations, as resulting in the election of fellows of varying creeds, to the great injury of religious belief, 2104, 2105. 2108——Necessity of a declaration for all offices which take part in the discipline of the colleges, 2104. 2106——Expediency of providing that those in charge of the teaching and discipline should be members of the Church of England, 2107-2111——Efficiency of a declaration in excluding men of honour from offices, unless they can conscientiously concur in the terms of the declaration; illustration on this point, 2112-2114. 2190-2194.

Evidence in approval of the declaration proposed by Sir Roundell Palmer for professors generally, 2115. 2140-2163——Expediency of a declaration of conformity in the case of professors of Divinity, 2115, 2116——Suggestions on the subject of Divinity professors and portion of the fellows and heads of colleges being in Holy Orders; expediency of this question not being left to university or college legislation, 2116-2126. 2151——Importance of Parliamentary safeguards rather than of possible safeguards to be adopted by the colleges or universities from time to time, 2117, 2118. 2204.

Proposal that the *status quo* of the headships of colleges be maintained, 2119, 2120——Suggestions on the subject of certain alternative qualifications other than Holy Orders, in the case of fellows and persons holding offices, 2120-2126. 2182-2186——Objection to the clause empowering young men to abstain from attending the public worship of any sect to which they do not belong; less objection if a certain modification be introduced into the clause, 2127, 2128. 2201-2203——Expediency of its being left to the colleges to permit exemption from attendance at worship, as at present, 2127.

Reports, 1870, 1871—*continued.*

Waraker, Thomas, LL.D. (Analysis of his Evidence—Session 1871)—*continued.*

Conclusion as to the inadequacy of the safeguard in Section 4 of the Bill, inasmuch as the Bill will operate, indirectly, towards a disregard of religious qualifications in the election of fellows, 2129-2132——Effect of impending legislation in influencing public sentiment in favour of the line that legislation is taking, 2131. 2197.

Further statement that the object of the modifications proposed by witness is to render the Bill less objectionable by bringing the enacting clauses into conformity to the preamble; question hereon as to the probability of the House of Commons agreeing to such modifications, 2134-2138. 2176-2181.

Argument that pre-Reformation endowments and post-Reformation endowments were equally made in favour of the Church of England, 2164, 2165——Mention of three colleges at Cambridge as entirely post-Reformation, whilst every college is partly so, 2164. 2168——Questionable advantage of a distinct recognition of the right of the Church to the post-Reformation endowments, 2166-2168——Exemption of Durham University from the operation of the Bill if there be a clause saving post-Reformation endowments to the Church, 2169, 2170.

Reference to Section 8 of the Act of Uniformity as requiring all professors and readers in the universities to make a declaration of conformity to the Liturgy of the Church of England, 2171-2175——Further approval of the test being a declaration of membership of the Church of England, 2187-2189——Question considered as to the effect of tests at Cambridge in mitigating controversy and in excluding infidelity, 2190-2196.

Explanation in connection with the increase of feeling at Cambridge in favour of removing the tests, 2197——Argument that there is no more ground for complaint against a test in reference to religion than there is against a test in reference to learning and education, 2198-2200.

Woollcombe, The Rev. Edward C. (Analysis of his Evidence—Session 1871.)—Is a fellow of Balliol College, and was, until lately, a tutor, 1977, 1998——Satisfactory operation of tests at Balliol; instance of this in the admission of a Presbyterian as a fellow and tutor of the college, 1979-1981. 2071-2074——Less diversity of religious opinion at Balliol than if there were no tests, 1982-1988——Dangerous tendency of the philosophical studies in the final classical school at Oxford, more especially on account of the modern books now used; expediency of the *pari passu* study of Christian doctrine, 1989-1995. 2075-2083.

Grievance on the part of parents if, by a removal of tests, injury be done to the students in a religious sense, 1996-1998——Diminution of late years in the number of Divinity lectures in colleges; further diminution under the proposed Bill, 1999-2003. 2023-2026.——Strong objection to the Bill on the score of clerical fellowships; importance of maintaining a certain proportion of these as the only security for Church of Englan d tutorships, 2002, 2003. 2040-2042——Instance of competition for a clerical fellowship, when a person of very high attainments was elected, 2004——Smaller competition for clerical fellowships, so that the term "close" fellowships is being applied to them, 2005, 2006.

Great importance attached to the maintenance of the Church of England service exclusively in the college chapels; there should be an express provision in the Bill to this effect, 2007-2009. 2034-2037. 2061-2066. 2068——Great falling off in the daily attendance of Balliol Chapel service since it has not been compulsory; objection to an abolition of the week-day chapel, 2010-2022. 2054-2058. 2068.——Influence of college tutors otherwise as well as by means of lectures, 2026——Evil of the gradual disappearance of the college system from the university; increase of this evil if the Bill be passed in its present shape, 2029-2033. 2050-2053.

Suggestion that the Bill should provide for the clerical headship of colleges wherever it now exists, 2038, 2039——Approval of such a relaxation of tests as will admit Christian Dissenters to fellowships and tutorships, it being at the same time important that the test shall exclude Socinians, 2042-2049. 2089——About equal division of the residents at Oxford upon the question of tests, 2059——Beneficial working of the present tests, though witness would be content with a much wider test than that of the Thirty-nine Articles, 2067——Excellent effect, not only of the chapel services, but of the religious education generally, 2068-2070.

Injustice of the Bill with reference especially to the post-Reformation endowments, as in the case of Balliol College; claim also of the Church of England to the *pre*-Reformation endowments, 2084-2086——Important modification of the fellowships of Balliol, it having been at one time entirely a clerical college, 2085——Reference to the question at issue as one between Christian and non-Christian teaching, witness being satisfied so long as the former is maintained, 2087-2089.

INDEX

TO

REPORTS

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON

UNIVERSITY TESTS

Sessions 1870 and 1871.

Ordered, by The House of Commons, to be Printed,
19 *May* 1871.

[*Price* 9*d.*]

237—I.

Under

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